

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: METHYL TERTIARY BUTYL ETHER ("MTBE") PRODUCTS LIABILITY LITIGATION	:	Master File No. 1:00-1898 MDL 1358 (SAS) M 21-88
	:	
This document relates to:	:	
	:	
<i>City of Fresno v. Chevron U.S.A., Inc., et al.,</i> Case No. 1:04-cv-04973	:	
	:	

DECLARATION OF MICHAEL D. AXLINE IN SUPPORT OF PLAINTIFF CITY OF
FRESNO'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
FOR LACK OF EVIDENCE PERTAINING TO CAUSATION
(EXHIBITS 17 - 46)

DECLARATION OF MICHAEL D. AXLINE

I, Michael D. Axline, declare:

1. I am an attorney admitted to practice law in the State of California, and I am associated with the law firm of Miller, Axline & Sawyer, attorneys for plaintiff City of Fresno in this action.
2. All of the exhibits attached hereto are documents are drawn from the litigation files kept in the ordinary course of business at Miller, Axline & Sawyer, and were copied either by me or by someone working directly under my supervision.
3. Attached as Exhibit 1 is a true and correct duplicate copy of the First Amended Complaint in this Action, filed on November 18, 2004.
4. Attached as Exhibit 2 is a true and correct duplicate copy of the letter from Mike Axline and Evan Eickmeyer to Jeffrey Parker, dated February 8, 2012.
5. Attached as Exhibit 3 is a true and correct duplicate copy of the letter from Mike Axline and Evan Eickmeyer to Brian Ledger, dated March 6, 2013.
6. Attached as Exhibit 4 is a true and correct duplicate copy of Defendant Ultramar, Inc.'s Disclosure Pursuant to June 9, 2005 Directive as Amended by the Court on August 12, 2005.
7. Attached as Exhibit 5 is a true and correct duplicate copy of excerpts from the transcript of the August 10, 2011 deposition of Gary Beacom.
8. Attached as Exhibit 6 is a true and correct duplicate copy of excerpts from the Valero Defendants' Objections and Responses to Plaintiff City of Fresno's First Set of

Interrogatories to Defendants.

9. Attached as Exhibit 7 is a true and correct duplicate copy of Chevron U.S.A. Inc.'s Supply Declaration of Frank G. Soler and exhibits thereto, dated April 18, 2011.

10. Attached as Exhibit 8 is a true and correct duplicate copy of Defendant Union Oil Company of California's Declaration of Grace N. Chan in Response to CMO #75, dated April 11, 2011.

11. Attached as Exhibit 9 is a true and correct duplicate copy of the Further Response of Defendant Chevron U.S.A Inc. To Plaintiffs' Preliminary Set of Interrogatories re: Defendant Identification, dated August 30, 2004.

12. Attached as Exhibit 10 is a true and correct duplicate copy of the Valero Defendants' Answers and Objections to Plaintiffs' Preliminary Set of Interrogatories re: Defendant Identification, dated August 30, 2004.

13. Attached as Exhibit 11 is a true and correct duplicate copy of excerpts from the transcript of the March 16, 2011 deposition of James Shehadey and Exhibit 5 attached thereto.

14. Attached as Exhibit 12 is a true and correct duplicate copy of excerpts from Marcel Moreau's Expert Report, dated November 2, 2011.

15. Attached as Exhibit 13 is a true and correct duplicate copy of an excerpt from the transcript of the June 4, 2012 deposition of Sam Williams.

16. Attached as Exhibit 14 is a true and correct duplicate copy of excerpts from the transcript of the February 16, 2011 deposition of Imtiaz Ahmad.

17. Attached as Exhibit 15 is a true and correct duplicate copy of Defendant Exxon Mobil Corporation's Responses and Objections to Plaintiffs' Preliminary Set of Interrogatories

Regarding Defendant Identification, dated August 30, 2004.

18. Attached as Exhibit 16 is a true and correct duplicate copy of excerpts from the transcript of the January 11, 2013 Status Conference before Honorable Shira A. Scheindlin.

19. Attached as Exhibit 17 is a true and correct duplicate copy of the transcript of the May 10, 2001 deposition of Dickman Lum in the *South Tahoe Public Utility District v. Atlantic Richfield Co.* case.

20. Attached as Exhibit 18 is a true and correct duplicate copy of excerpts from the transcript of the June 8, 1999 deposition of Elwanda Kovich in the *South Tahoe Public Utility District v. Atlantic Richfield Co.* case.

21. Attached as Exhibit 19 is a true and correct duplicate copy of excerpts from Marcel Moreau's Site Specific Report, dated November 2, 2011.

22. Attached as Exhibit 20 is a true and correct duplicate copy of Union Oil Company of California's Amendment to Its Supply Declaration with Declaration attached, dated August 9, 2012.

23. Attached as Exhibit 21 is a true and correct duplicate copy of Union Oil Company of California's Supplemental and Amended Response to Plaintiff City of Fresno's First Set of Interrogatories, dated August 12, 2011.

24. Attached as Exhibit 22 is a true and correct duplicate copy of excerpts from the transcript of the March 18, 2011 deposition of Gail Blue.

25. Attached as Exhibit 23 is a true and correct duplicate copy of excerpts from the transcript of the March 17, 2011 deposition of Glen R. Blue.

26. Attached as Exhibit 24 is a true and correct duplicate copy of excerpts from the transcript of the March 16, 2011 deposition of Narinder Singh.

27. Attached as Exhibit 25 is a true and correct duplicate copy of excerpts from Defendant Exxon Mobil Corporation's Responses to Plaintiff City of Fresno's First Set of Interrogatories.

28. Attached as Exhibit 26 is a true and correct duplicate copy of excerpts from the transcript of the March 29, 2011 deposition of James Clements.

29. Attached as Exhibit 27 is a true and correct duplicate copy of excerpts form the transcript of the April 4, 2011 deposition of Garabed Bedirian.

30. Attached as Exhibit 28 is a true and correct duplicate copy of excerpts from the February 16, 2011 deposition of Shirley McMurphy Ahmad.

31. Attached as Exhibit 29 is a true and correct duplicate copy of Exhibit B from the Shell Defendants' Responses to City of Fresno's First Set of Interrogatories to Defendants.

32. Attached as Exhibit 30 is a true and correct duplicate copy of excerpts from the transcript of the February 9, 2011 deposition of Joel Hohenshelt.

33. Attached as Exhibit 31 is a true and correct duplicate copy of excerpts from the transcript of the August 11, 2011 deposition of Jatinder Paul Dhillon.

34. Attached as Exhibit 32 is a true and correct duplicate copy of excerpts from the transcript of the August 17, 2011 deposition of Bryan Leonard Moe.

35. Attached as Exhibit 33 is a true and correct duplicate copy of excerpts from the transcript of the August 17, 2011 deposition of Thomas K. Baughs and exhibits attached thereto.

36. Attached as Exhibit 34 is a true and correct duplicate copy of excerpts from the

transcript of the August 9, 2011 deposition of David Benjamin.

37. Attached as Exhibit 35 is a true and correct duplicate copy of excerpts from the transcript of the August 11, 2011 deposition of Ellis (Ike) Pursell.

38. Attached as Exhibit 36 is a true and correct duplicate copy of the Declaration of the Valero Defendants in Anticipation of 30(b)(6) Deposition, dated ____.

39. Attached as Exhibit 37 is a true and correct duplicate copy of excerpts from the transcript of the July 27, 2011 deposition of Baldev Singh Sandhu.

40. Attached as Exhibit 38 is a true and correct duplicate copy of Defendant Exxon Mobil Corporation's Supplemental Response to Plaintiff City of Fresno's First Set of Interrogatories, dated August 30, 2011.

41. Attached as Exhibit 39 is a true and correct duplicate copy of The Shell Defendants' Responses to Plaintiff's First Set of Interrogatories, dated August 30, 2004.

42. Attached as Exhibit 40 is a true and correct duplicate copy of excerpts from the transcript of the July 29, 1999 deposition of Mary F. Morgan.

43. Attached as Exhibit 41 is a true and correct duplicate copy of excerpts from the transcript of the July 1, 1999 deposition of Kelly J. Hammar.

44. Attached as Exhibit 42 is a true and correct duplicate copy of excerpts from the transcript of the September 22, 2000 deposition of Thomas Hooks.

45. Attached as Exhibit 43 is a true and correct duplicate copy of excerpts from the transcript of the July 22, 1999 deposition of Bob Simonson.

46. Attached as Exhibit 44 is a true and correct duplicate copy of excerpts from the transcript of the January 12, 2001 deposition of Dixon B. Smith.

47. Attached as Exhibit 45 is a true and correct duplicate copy of Valero Corporate Representative Depositon - Early Knowledge and Taste & Odor.

48. Attached as Exhibit 46 is a true and correct duplicate copy of selected Bills of Lading and Highway Receipts provided by Red Triangle.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Respectfully submitted,

DATED: April 12, 2013

MILLER, AXLINE & SAWYER
A Professional Corporation

By: 
MICHAEL D. AXLINE
Attorneys for Plaintiff

MILLER, AXLINE & SAWYER
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EXHIBIT 17

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

SOUTH TAHOE PUBLIC UTILITY DISTRICT,

Plaintiff,

vs.

CERTIFIED COPY

No. 999128

ATLANTIC RICHFIELD COMPANY

("ARCO"), et al.,

Defendants.

Deposition of

DICKMAN LUM

Thursday, May 10, 2001

Reported by:
SHARON CABELLO, RPR
CSR No. 3080
Job No. 26204


E S Q U I R E™
DEPOSITION SERVICES

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1 refiners, and then it's the refiners who then at that
2 time owning the fuel would be in communication with
3 Kinder Morgan to nominate the tender slots.

4 Q. MS. O'REILLY: When you refer to refineries,
5 in the Sacramento area can you identify what refineries
6 -- let's start with the last five years. What
7 refineries place gasoline into the pipeline for the
8 Sacramento area terminals?

9 MR. DUCHESNEAU: Excuse me for a moment.

10 Objection, that's compound.

11 THE WITNESS: There are no refineries in the
12 Sacramento area. The refineries that supply gasoline
13 to the Sacramento area are located in the San Francisco
14 Bay Area.

15 In the San Francisco Bay Area there is a
16 Chevron refinery, an Equilon refinery, the Valero
17 refinery, and for a period of time there were two Tosco
18 refineries, which now one of the Tosco refineries has
19 been sold to Ultramar Diamond Shamrock.

20 Q. MS. O'REILLY: And prior to Valero, who owned
21 that refinery located in Benicia?

22 A. Exxon.

23 Q. And prior to Tosco owning two refineries, did
24 anyone own one of those refineries prior to Tosco?

25 MR. DUCHESNEAU: You are asking his

1 understanding?

2 MS. O'REILLY: Right.

3 THE WITNESS: One of the Tosco refineries was
4 previously owned by Unocal.

5 Q. MS. O'REILLY: Do you have an understanding as
6 to which refinery was previously owned by Unocal?

7 A. The one that's referred to as Tosco Rodeo.

8 The other Tosco facility in Avon is the one that was
9 sold to Ultramar Diamond Shamrock, and that has for a
10 long time been a Tosco refinery.

11 Q. Other than the entities that we have just
12 discussed, are there any other entities -- I want to
13 take it back before the sale of Benicia to Valero and
14 before the sale of Avon to Ultramar Diamond Shamrock.

15 Prior to that time were there any other
16 entities besides Chevron, Exxon, Equilon and Tosco that
17 would nominate tenders in the Kinder Morgan pipeline,
18 to your understanding?

19 MR. DUCHESNEAU: Objection, assumes facts,
20 vague, lacks foundation.

21 THE WITNESS: I believe the Equilon refinery
22 was previously owned by Shell. And I am not sure how
23 far back in time you want to go, but that's probably my
24 extent of my understanding, unless I look back at some
25 records.

1 REPORTER'S CERTIFICATE
2

3 I certify that the witness in the foregoing
4 deposition,

5 DICKMAN LUM,
6 was by me duly sworn to testify in the within-entitled
7 cause; that said deposition was taken at the time and
8 place therein named; that the testimony of said witness
9 was reported by me, a duly Certified Shorthand Reporter
10 of the State of California authorized to administer
11 oaths and affirmations, and said testimony was
12 thereafter transcribed into typewriting.

13 I further certify that I am not of counsel or
14 attorney for either or any of the parties to said
15 deposition, nor in any way interested in the outcome of
16 the cause named in said deposition.

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand this 17th day of May, 2001.

19

20


21

SHARON CABELLO
Certified Shorthand Reporter
State of California
Certificate No. 3080

24

25

EXHIBIT 18

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
2

IN AND FOR THE COUNTY OF SAN FRANCISCO

3 --oo--

4 SOUTH TAHOE PUBLIC UTILITY)
5 DISTRICT,)
6 Plaintiff,)
7 VS)
8 ATLANTIC RICHFIELD COMPANY)
9 ("ARCO"); ARCO CHEMICAL COMPANY;)
10 SHELL OIL COMPANY; CHEVRON)
11 U.S.A., INC.; EXXON CORPORATION;)
12 B.P. AMERICA, INC.; TOSCO)
13 CORPORATION; ULTRAMAR, INC.;)
14 BEACON OIL CO.; USA GASOLINE)
15 CORPORATION; SHELL OIL PRODUCTS)
16 CO.; TERRIBLE HERBST, INC.;)
17 ROTTEN ROBBIE; J.E. TVETEN)
18 CORP.; TAHOE TOM'S GAS STATION;)
19 THE SOUTHLAND CORP.; PARADISE)
20 CHEVRON; and DOES 1 through 600,)
21 inclusive,
22
23 Defendants.)
24

No. 999128

COPY

16 --oo--

17 TUESDAY, JUNE 8, 1999

18 1:05 P.M.

19 --oo--

20 DEPOSITION OF
21 ELWANDA KOVICH

22 --oo--

23
24 CATHLEEN SLOCUM, CSR
25 License No. 2822

1 you see. You'd see the MTBE inventory going down and the
2 finished product tanks going up.

1:45:30 pm 3 Q Okay. And then is MTBE ever, does it ever exit the
4 refinery without being blended with gasoline?

5 A Not to my knowledge.

6 Q So you never, the refinery never sells MTBE itself as a
7 product?

8 A I don't recall if we've ever had, if we've ever done
9 that before but typically we use it so we don't -- we're not
10 in the business of selling it. We're in the business of
11 buying it.

12 Q Okay. And then you're in the business of selling
13 gasoline, correct?

1:46:00 pm 14 A That's correct. Well, we're in the business of making
15 gasoline.

16 Q Making gasoline. At some point the finished gasoline
17 then leaves the refinery, correct?

18 A The finished gasoline, yes, it leaves the refinery.

19 Q How may it do that?

20 A It can do that either by pipeline or it can do it to a
21 marketing rack across the street.

22 Q What's a marketing rack?

23 A It's a terminal in which trucks can come up. But it's
24 a marketing facility, it's not the refinery's.

1:46:30 pm 25 Q Is that an Equilon facility?

1 A Yes.

2 Q Okay. And at the point it goes into a pipeline, is
3 that an Equilon pipeline?

4 A No. It is a Kinder-Morgan pipeline.

5 Q Okay. And at the point that the finished product
6 enters the Kinder-Morgan pipeline -- and I'll ask about the
7 rack in a moment --

8 A Uh-huh.

9 Q -- is there a record kept of that as well?

10 A Yeah. We show the shipments. They're referred to as
11 batches. As the product leaves we account for that shipment
1:47:00 pm 12 by batch.

13 Q Okay. And is that a volumetric record?

14 A Yes.

15 Q Is it exclusively volumetric?

16 A Pretty much, yes.

17 Q There's no --

18 A It's a date and the amount of the shipment, gravity and
19 the temperature and so it's the properties around the
20 product.

21 Q What determines how much product goes into the pipeline?

22 A There's a meter on the pipeline. It is a custody
1:47:30 pm 23 transfer meter. And that's what is used to determine the
24 amount of the shipment.

25 Q Is there an inspiration for determining the amount, is

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER
2

3 I, CATHLEEN S. SLOCUM, a Certified Shorthand
4 Reporter, in and for the State of California, duly appointed
5 and commissioned to administer oaths, do hereby certify:

6 That I am a disinterested person herein; that the
7 witness, ELWANDA KOVICH, named in the foregoing deposition,
8 was by me duly sworn to testify the truth, the whole truth,
9 and nothing but the truth; that the deposition was reported
10 in shorthand by me, Cathleen S. Slocum, a Certified
11 Shorthand Reporter of the State of California, and
12 thereafter transcribed into typewriting.

13 IN WITNESS WHEREOF, I have hereunto set my hand as
14 Certified Shorthand Reporter on this 11 of June, 1999.
15
16
17

18 
19 Cathleen Slocum
Certified Shorthand Reporter
License Number 2822
20

21 --o0o--
22
23
24
25

EXHIBIT 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE") Master File No. 1:00-1898
Products Liability Litigation MDL 1358 (SAS)

M21-88

This Document Relates to:

City of Fresno v. Chevron U.S.A Inc., et al.
No. 04 Civ. 04973 (SAS)

Expert Site Specific Report of Marcel Moreau
Marcel Moreau Associates
Portland, Maine

Marcel Moreau

November 2, 2011

Fresno Valley Gas

2139 South Elm St., Fresno

Note: Station known as Beacon Station No. 528, Ultramar Station No. 538, and Arco/Ultramart.

MAJOR MILESTONES

1975	Three 10,000-gallon steel tanks and piping were installed, with no overfill protection or spill containment [undated document].
Nov 18, 1985	A new convenience store building was reportedly completed, and one dispenser island was removed.
April 17, 1991	Three soil borings were drilled to evaluate petroleum hydrocarbons in soil and groundwater at the site as part of a real estate transaction. Petroleum hydrocarbons were not found in soil samples; groundwater was not encountered.
April 17, 1992	Several piping leaks were discovered via a helium test.
Dec 8, 1998	New construction permit application included removal of the surface cover to the tanks, internal sandblasting and coating, installation of cathodic protection, installation of a Veeder Root tank monitor and line leak detection.
Oct 25, 1999	A line leak was discovered by helium testing.
Nov 29, 1999	A soil sample collected on the north side of the southern dispenser island, where a hole in a pipe was discovered and repaired, was found to contain 31,000,000 ppb TPHg and 920,000 ppb MtBE.
Mar 2004	Bravo boxes were added beneath the dispensers. Dispenser containment not present previously [6 26 2003].
May 18, 2004	Shallow soil beneath the dispensers was reportedly "significantly impacted by fuel hydrocarbons", with a maximum MtBE concentration of 164,000 ppb. Additional investigation was recommended.

Jun 20, 2007	Official Inspection Report notes: "Facility still under piping replacement and under red tag regulation. Business is still closed." No other references to red tag were reviewed.
Feb 28, 2008	A final construction inspection report documented the presence of: <ul style="list-style-type: none">• Single-wall steel USTs, with lining and cathodic protection.• Overspill and overfill prevention.• DW FRP piping, with continuous monitoring.

SPILL/LEAK EVENT CHRONOLOGY

Aug 14, 1989	A tightness testing report noted a leak at dispenser #4 in the vapor line and a leak at dispenser #6. The unleaded turbine was also found to be leaking.
Aug 21, 1989	An interoffice memo questioned the accuracy of some of the Aug 1989 test results. Further testing confirmed a leak in the premium NL line and the NL turbine, and both were repaired. [8/25/1989]
Sept 8, 1989	A letter to Fresno County stated that the super line failed PetroTite line testing on Aug 14, 1989. The line was uncovered and repaired and passed a line test on 8/15/1989.
Oct 5, 1990	Tank test results indicated a loss of -0.403 on the premium unleaded.
Oct 25, 1990	Inspection Report documented that the super NL product line was repaired; the overfill protection, fill pipe, and vent pipe were also replaced.
April 17, 1992	Official Inspection Report: An assessment of the exposed piping indicated that the metal piping was rusted and corroding; several leaks in the piping were found via a helium test. One leak was reportedly detected at the dispenser riser and another at the fill box.
July 30, 1999	Official Inspection Report: Inspector noted that gasoline was being dispensed at the NL pumps, in violation of an order not to dispense fuel until the dispenser had been repaired, tested, and approved.
Oct 25, 1999	A line leak, discovered by helium testing, was reported on the south island in front of the canopy column.
Nov 5, 1999	UST Installation Inspection Record: Because of a leak (see Oct 25, 1999), the 87 NL piping was replaced between the southern dispenser

island and the market. A soil sample was collected for TPHg, BTEX and MtBE analysis, and strong odors were noted.

SOIL/GROUNDWATER CONTAMINATION CHRONOLOGY

- April 17, 1991 Subsurface Environmental Investigation Report: Three soil borings (B1 to B3) were drilled to 35 to 50 ft bgs (max depth) to evaluate petroleum hydrocarbons in soil and groundwater at the site as part of a real estate transaction. Soil samples were analyzed for TPHg and BTEX, and the results were ND for the most part (two toluene hits at 15 ft bgs). Groundwater was not encountered. [5/8/1991]
- Nov 29, 1999 Soil sample S-1 was collected at 5 ft bgs on 11/5/1999 on the north side of the southern dispenser island, where a hole in a pipe was discovered and repaired. The sample was found to contain 31,000,000 ppb TPHg and 920,000 ppb MtBE.
- May 18, 2004 Soil samples were collected from beneath the six dispensers at the site on March 19 and 30, 2004, and tested for TPHg, BTEX, MtBE, and other oxygenates. The soil beneath the dispensers was reportedly "significantly impacted by fuel hydrocarbons." Four of six samples had TPHg levels greater than 1,000,000 ppb. The highest concentrations were in samples taken at the southern dispenser island at 4 ft bgs; the maximum TPHg concentration was 6,022,000 ppb and the maximum MtBE concentration was 164,000 ppb. Another sample from the southern dispenser island had 38,000 ppb MtBE. One sample from the northern dispenser island had 5,000 ppb of MtBE. Additional investigation was recommended.
- April 9, 2007 Results of Soil Sampling Report: Soil samples were collected during the removal of the dispenser system in Dec 2006, but the results were never reported. Nine samples were collected with hand augers in February of 2007. MtBE was detected in two samples from the southern dispenser island, at 24 ppb and 27,000 ppb.

IDENTIFICATION OF MTBE RELEASES

Tank Area Releases

The unleaded turbine pump was observed to be leaking in August of 1989 and repaired shortly thereafter. When this release began is not known. The volume released is not known. MtBE was not commonly present in California gasoline in 1989, so it is unlikely that this release

contributed to the MtBE contamination at this facility.

A leak in a fill riser was detected and repaired in April of 1992. When this release began is not known. The volume released is not known. MtBE was not commonly present in California gasoline in the spring of 1992, so it is unlikely that this release contributed to the MtBE contamination at this facility.

Piping and Dispenser Area Releases

Releases were observed in the piping associated with dispensers #4 and #6 in August of 1989 and repaired shortly thereafter. Releases from dispensers are common (see general report in this case). When these releases began is not known. The volume released is not known. MtBE was not commonly present in California gasoline in 1989, so it is unlikely that these releases contributed to the MtBE contamination at this facility.

A piping leak in a premium dispenser was detected and repaired in October of 1990. Releases from dispensers are common (see general report in this case). When this release began is not known. The volume released is not known. MtBE was not commonly present in California gasoline in 1990, so it is unlikely that this release contributed to the MtBE contamination at this facility.

A piping leak in a dispenser riser was detected and repaired in April of 1992. Releases from dispensers and adjacent piping are common (see general report in this case). When this release began is not known. The volume released is not known. MtBE was not commonly present in California gasoline in the spring of 1992, so it is unlikely that this release contributed to the MtBE contamination at this facility.

A leak in the unleaded line was repaired in August of 1999. Unleaded fuel was apparently being dispensed despite the leak. The exact location of the leak is not known. When this release began is not known. The volume released is not known. MtBE was commonly present in California gasoline in 1999, so it is likely that this release contributed to the MtBE contamination at this facility.

A piping leak near the southern dispenser islands was repaired in November of 1999, and MtBE contaminated soil was detected. When the leak began is not known. The volume of the release is not known.

MtBE was detected in three of six soil samples collected in March of 2004 from beneath the dispensers at the site. When these releases occurred is not known, but they likely occurred intermittently between the fall of 1992 when MtBE was first required to be present in Fresno County gasoline,¹ and 2003 when MtBE was removed from California gasoline. The exact

¹ "Areas Participating in the Oxygenated Gasoline Program," Energy Information Administration, Department of Energy, <http://www.eia.gov/steo/special/oxy2.html#Original>, accessed on 9/15/2011.

dispenser components that leaked are not known, but dispensers and adjacent piping are frequent sources of releases (see general report in this case). The amount released is not known.

MtBE was detected in two of nine soil samples collected in February of 2007 from beneath the dispensers at the site. When these releases occurred is not known, but they likely occurred intermittently between the fall of 1992 when MtBE was first required to be present in Fresno County gasoline,² and 2003 when MtBE was removed from California gasoline. The exact components that leaked are not known, but dispensers and adjacent piping are frequent sources of releases (see general report in this case). The amount released is not known.

Customer Spills

Small spills are common during vehicle fueling activities and no doubt occurred throughout the time this facility was in operation. Fueling spills may have contributed to the MtBE contamination detected in the dispenser area at this facility.

² Ibid.

EXHIBIT 20



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

MDL 1358 (SAS)

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.
04 Civ. 04973

**UNION OIL COMPANY OF CALIFORNIA'S AMENDMENT
TO ITS SUPPLY DECLARATION**

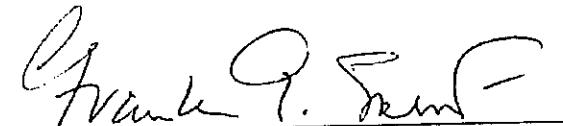
I, Frank G. Soler, declare:

1. I am an Assistant Secretary for Defendant, Union Oil Company of California ("Union Oil").
2. In my prior declaration in this case served on April 19, 2011, (attached as Exhibit A), I stated that "MTBE was blended into gasoline at San Francisco Refinery ("SFR") starting in 1986 but was not blended in all grades." Based upon newly discovered information, the actual date that MTBE was first blended into gasoline at the San Francisco Refinery (SFR) by Union Oil was in 1987, and not 1986 as previously stated. It remains accurate that MTBE from the SFR was not blended in all grades of gasoline.
3. No one person for Union Oil knows all of the matters stated herein, and therefore this declaration was prepared with the assistance and advice of representatives of and counsel for, Union Oil, upon whose assistance and advice I have relied. This declaration is limited by the records and information still in existence and recollected thus far in the discovery of the facts of this case.

4. Union Oil reserves the right to supplement or amend this declaration should additional information become available.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 8th day of August, 2012, at San Ramon, California.



Frank G. Soler, Assistant Secretary

EXHIBIT A



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

MDL 1358 (SAS)

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.
04 Civ. 04973

UNION OIL COMPANY OF CALIFORNIA'S SUPPLY DECLARATION

I, Frank G. Soler, declare:

1. I am Assistant Secretary for Defendant Union Oil Company of California ("Union Oil"). Union Oil maintains electronic records of gasoline deliveries to retail gasoline stations. True and correct copies of printouts from these records are attached as Exhibits A and B. The column headings are defined as follows:

"Customer number" is a distinct number assigned to each retail facility customer.

"Name 1" is the customer name.

"CIF Address 1" is the street address for the retail facility.

"CIF Address 2" is the City, State, and Zip Code for the retail facility.

"State code" is a distinct number assigned to the state for the retail facility.

"Retail unit" is a distinct number assigned to each Union Oil branded facility.

"Class of Trade" describes the type of facility.

"Shipping Point" is a distinct number assigned to the products terminal from which the gasoline was delivered.

"Accounting year" is an accounting date for the transaction.

"Accounting month" is an accounting date for the transaction.

"Invoice Date" is the date of delivery.

“Product Code” is a distinct code assigned to each type of gasoline refined by Union Oil.

“Full Description” is a description of the product associated with a distinct product code.

“Volume” is the volume of product delivered in gallons.

“Price” is the price of product per gallon.

“Gross dollars” is gross amount realized on the transaction.

The following product codes and names represent products that Union Oil can identify as having contained MTBE:

- 00445000000 - UNOCAL PERF PLUS 89 W/10% MTBE;
- 00455000000 - UNOCAL UNLEADED PLUS 87 W/10% MTBE;
- 00945000000 - UNOCAL HIGH PERF 92 W/10% MTBE; and
- 00975000000 - UNOCAL HIGH PERF 92 W/10% MTBE.

In addition, the following product codes represent products that Union Oil can identify as having contained MTBE to the extent they relate to gasoline produced refined after 1992:

- 002310000000;
- 004670000000;
- 004680000000;
- 004730000000;
- 004740000000;
- 004830000000;
- 004840000000;
- 009720000000;
- 097300000000; and
- 009740000000.

In addition, based on information that is currently available, the following Product codes and names represent products that may have contained MTBE:
[Insert list from Exhibit D to Union Oil's CMO #4 response in OCWD].

2. I have reviewed Union Oil's electronic records, and I am familiar with them. In particular, I have reviewed the electronic files to determine whether Union Oil delivered gasoline to the sites identified in Plaintiff's discovery responses. Union Oil's records reflect deliveries of gasoline to two of those sites.

3. **1605 North Cedar Avenue.** Union Oil supplied gasoline to the station located at 1605 North Cedar Avenue from prior to the relevant time period until November 1996. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the print-out attached to this declaration as Exhibit A. Union Oil supplied this station from a terminal in Fresno, and on two occasions from a terminal in Stockton. On information and belief, Union Oil supplied this station with gasoline refined at its San Francisco refinery. MTBE was blended into gasoline at San Francisco Refinery SFR starting in 1986 but was not blended in all grades. Due to federal and state oxygenate requirements in 1992 and 1996, MTBE blending increased at such times. On information and belief, Union Oil owned the USTs and real estate at this site from prior to the relevant time period until April 1997. Union Oil did not own or lease the real estate or USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

4. **5785 North 1st Street.** Union Oil supplied gasoline to the station located at 5785 North 1st Street between September 1992 and March 1997. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the print-out attached to this declaration as Exhibit B. On information and belief, Union Oil supplied this station with gasoline refined at its San Francisco refinery. On information and belief, Union Oil did not own the real estate or the USTs at the subject site prior to April 1997. Union Oil has searched its records and has not located any

information that shows that it owned or leased the real estate or USTs at the subject site prior to April 1997. Documents produced by third parties suggest that persons other than Union Oil owned the tanks and real estate at the subject site between 1986 and 1997. See FCDEH-FRESNO-010618, 010608, 010604, 010602, 010555. Union Oil did not own or lease the real estate or the USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

5. **101 Roosevelt.** On information and belief, Union Oil supplied this station with gasoline refined at its San Francisco refinery. Union Oil's electronic records do not reflect the sale or delivery of gasoline to this site. Due to the passage of time and the divesture of Union Oil's marketing and refining assets to Tosco in April 1997, Union Oil has not identified records, other than what has been produced, in its possession, custody, or control reflecting gasoline deliveries or sales to this site. Union Oil owned the USTs at the subject site from prior to the relevant time period until December 1995 when they were removed. Union Oil did not supply gasoline to this site after that time. Union Oil has not owned USTs at this site since that time, nor has it supplied gasoline to the subject site after that time. Union Oil owned the real estate at this site from prior to the relevant time period until April 1997 when the property was sold to Tosco.

6. Based on Union Oil's records it did not deliver gasoline to, supply, own, lease, or operate any of the other stations identified in Plaintiff's discovery responses.

7. No one person for Union Oil knows all of the matters stated herein, and therefore this declaration was prepared with the assistance and advice of representatives of and counsel for, said Union Oil upon whose assistance and advice I have relied. This declaration is limited by the records and information still in existence, presently recollected and thus far discovered.

8. Union Oil reserves the right to supplement or amend this declaration should additional information become available.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18th day of April, 2011, at San Ramon, California.



Frank G. Soler

Frank G. Soler, Assistant Secretary

EXHIBIT 21



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation MDL 1358 (SAS)

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.
04 Civ. 04973

**UNION OIL COMPANY OF CALIFORNIA'S
SUPPLEMENTAL AND AMENDED RESPONSE TO
PLAINTIFF CITY OF FRESNO'S FIRST SET OF INTERROGATORIES**

Union Oil Company of California ("Union Oil") submits the following supplemental and amended objections and responses to Plaintiff City of Fresno's First Set of Interrogatories to Union Oil dated September 2, 2008 ("Plaintiff's Interrogatories").

PRELIMINARY STATEMENT

Union Oil limits its responses to the stations identified by Plaintiff in response to case management number sixty (the "Stations"). Union Oil's records reflect deliveries of product to six of those Stations, which are listed below. Due to the passage of time and Union Oil's sale of its marketing and refining assets to Tosco in April 1997, Union Oil no longer has much of the information requested by Plaintiff's Interrogatories.

1605 North Cedar Avenue. Union Oil supplied gasoline to the station located at 1605 North Cedar Avenue from prior to the relevant time period until November 1996. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the spreadsheet attached to Union Oil's Supply Declaration. During that time period, Union Oil supplied this station with gasoline refined at its San Francisco refinery. MTBE was blended into gasoline at the San Francisco refinery starting in 1986 but was not blended in all grades. Due to

federal and state oxygenate requirements in 1992 and 1996, MTBE blending increased at such times. During that time period, Union Oil supplied this station almost exclusively from a terminal in Fresno. On a few occasions, Union Oil supplied this station from terminals in Bakersfield, Richmond, and Stockton. On information and belief, Union Oil owned the USTs and real estate at this site from prior to the relevant time period until April 1997. Union Oil did not own or lease the real estate or USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

For additional information relating to this site, Union Oil refers Plaintiff to:

- CHEVMDL1358_FRES_00000001435 - CHEVMDL1358_FRES_00000002065;
- CHEVMDL1358_FRES_00000006508- CHEVMDL1358_FRES_00000006900; and
- CHEVMDL1358_FRES_00000008439-CHEVMDL1358_FRES_00000008518.

Union Oil also refers Plaintiff to the documents produced by Fresno County and Regional Water Quality Control Board for information relating to this station. The burden of deriving or ascertaining the answers to Plaintiff's Interrogatories from the above documents will be substantially the same for Union Oil and Plaintiff.

5785 North 1st Street. Union Oil supplied gasoline to the station located at 5785 North 1st Street between September 1992 and March 1997. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the spreadsheet attached to Union Oil's declaration. During that time period, Union Oil supplied this station with gasoline refined at its San Francisco refinery. In addition, during that time period, Union Oil supplied this station almost exclusively from a terminal in Fresno. On a few occasions, Union Oil supplied this station from terminals in Richmond and Stockton. On one occasion, Union Oil supplied this station from a terminal in Sacramento. On information and belief, Union Oil did not own the real estate or the USTs at the subject site during the relevant time period. Documents produced by third parties suggest that persons other than Union Oil owned the tanks and real estate at the subject site between 1986 and 1997. *See* FCDEH-FRESNO-010618, 010608, 010604, 010602,

010555. Union Oil did not own or lease the real estate or the USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

Based on documents produced by the RWQCB, it appears that in November 2003, over 7 years after Union Oil had supplied gasoline to the site, an investigation was undertaken at the site in connection with the removal of dispensing and underground storage tank equipment. RWQCB-FRESNO-013019-013049. Moore Services, Inc, the environmental consultant assessing the site, concluded that based on “analytical results of the subsurface soil samples, concentration of residual gasoline in soils, and separation of these soils to groundwater, which is anticipated to be approximately 95 feet, the risk is very low that continued downward migration will degrade water quality, thus affecting beneficial uses”. *Id.* . Moore Services, Inc. also concluded that “the concentrations of BTEX and MTBE in subsurface soils containing residual gasoline are allowable concentrations, as published by the CSWRBC, and are unlikely to pose a threat to underlying groundwater.” *Id.* On August 30, 2006, the Fresno County granted closure for this site, thereby concluding that the site’s conditions are fully protective of human health and the environment. FCDEH-FRESNO-010712.

For additional information relating to this site, Union Oil refers Plaintiff to:

- CHEVMDL1358_FRES_00000008212-CHEVMDL1358_FRES_00000008251.

Union Oil also refers Plaintiff to the documents produced by Fresno County and the Regional Water Quality Control Board for information relating to this station. The burden of deriving or ascertaining the answers to Plaintiff’s Interrogatories from the above documents will be substantially the same for Union Oil and Plaintiff.

101 Roosevelt. Prior to April 1997, Union Oil supplied this site with gasoline refined at its San Francisco refinery. Union Oil’s electronic records do not reflect the sale or delivery of gasoline to this site. Due to the passage of time and the divesture of Union Oil’s marketing and refining assets to Tosco in April 1997, Union Oil has not identified records, other than what has been produced, in its possession, custody, or control reflecting gasoline deliveries or sales to this site. Union Oil owned the USTs at the subject site from prior to the relevant time period until

December 1995 when they were removed. Union Oil did not supply gasoline to this site after that time. Union Oil has not owned USTs at this site since that time, nor has it supplied gasoline to the subject site after that time. Union Oil owned the real estate at this site from prior to the relevant time period until April 1997 when the property was sold to Tosco. On information and belief, Wholesale Fuels Inc. or Wholesale Fuels LLP, an independently owned business, operated this site from at least 1989 to 1997.

For additional information relating to this site, Union Oil refers Plaintiff to:

- CHEVMDL1358_FRES_00000006473 - CHEVMDL1358_FRES_00000006508.

Union Oil also refers Plaintiff to the documents produced by Fresno County and Regional Water Quality Control Board for information relating to this station. The burden of deriving or ascertaining the answers to Plaintiff's Interrogatories from the above documents will be substantially the same for Union Oil and Plaintiff.

1418 East Shaw Ave. Union Oil's records reflect that it sold gasoline to the station located at 1418 East Shaw Avenue between 1986 and 1997. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the documents bates numbered CHEVMDL1358_Fresno_00000026180-CHEVMDL1358_Fresno_00000026283. During that time period, Union Oil supplied this station with gasoline refined at its San Francisco refinery. Union Oil owned the USTs at this site from at least 1987 until April 1997. On information and belief, Union Oil owned the real estate at this site in April 1997 at the time of the sale of the site to Tosco. Union Oil did not own or lease the real estate or USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

1610 North Palm. Union Oil's records reflect that it sold gasoline to the station located at 1610 North Palm between 1986 and 1997. The dates and amounts of sales to this site, including the product code and name for each sale, are set forth in the documents bates numbered CHEVMDL1358_Fresno_00000026516-CHEVMDL1358_Fresno_00000026605. During that time period, Union Oil supplied this station with gasoline refined at its San Francisco refinery. Union Oil did not own the real estate at this site during the relevant time period. Union

Oil leased the real estate at this site from prior to the relevant time period until April 1997. On information and belief, Union Oil owned the underground storage tanks at this site from at least 1992 until April 1997. Union Oil did not own or lease the real estate or USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time.

794 West Shaw Ave. Union Oil owned the real estate and underground storage tanks at this site from at least 1988 until April 1997. Union Oil supplied this station with gasoline refined at its San Francisco refinery from prior to the relevant time period through at least 1995. Due to the passage of time Union Oil has not located electronic records reflecting sales of gasoline to this site. Union Oil did not own or lease the real estate or USTs at the subject site after April 1997, nor did Union Oil supply gasoline to the subject site after that time. On information and belief, gasoline sold at this site no longer contained MTBE after October 2001. FCDEH-FRESNO-031687-90.

For additional information regarding the above stations, Union Oil refers Plaintiff to Union Oil's Supply Declaration, all of which is incorporated by reference here. Based on Union Oil's records it did not deliver gasoline to, supply, own, lease, or operate any of the other Stations identified by Plaintiff. Union Oil has undertaken a reasonably diligent search to locate responsive information. Union Oil's investigation will continue to and through the trial of this matter. Union Oil reserves the right to supplement or amend its responses in the event they discover the existence of other responsive information and/or documents as evidence at the time of trial.

Union Oil does not concede that any portion of these Interrogatories - or any document produced in connection with them - is admissible at trial or in connection with any non-discovery proceeding. Union Oil reserves all rights to object to the introduction of any portion of these responses - or any document produced pursuant to them - at trial or any non-discovery proceeding.

GENERAL OBJECTIONS

Union Oil further incorporates the following General Objections by reference into each specific Response below, as if set forth in full in the specific Response:

1. By making these Responses, Union Oil does not waive any rights or protections afforded to it by the Federal Rules of Civil Procedure, the Federal Rules of Evidence, or any other applicable statutory provisions or protections under common law or any other source.
2. Union Oil objects to each Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.
3. Union Oil objects to each Interrogatory to the extent it seeks to discover information or DOCUMENTS protected from disclosure by the attorney-client privilege, the joint defense privilege, the attorney work product doctrine, the consulting expert privilege, privacy rights or any other applicable protection, privilege or exemption at law or pursuant to statute. Union Oil will not produce any such protected information or DOCUMENT. Inadvertent production of any protected information or DOCUMENTS shall not be deemed a waiver of any applicable exemption, privilege or protection.
4. Union Oil objects to each Interrogatory to the extent it seeks information or DOCUMENTS not in Union Oil's "possession, custody or control" or otherwise purports to require Union Oil to do any act not required of it under the Federal Rules of Civil Procedure.
5. Union Oil objects generally to Plaintiff's "Instructions" and "Definitions" to the extent they are inconsistent with: a) the limitations and objections set forth in these General Objections; b) the objections to specific Interrogatories; or c) the Federal Rules of Civil Procedure.
6. Union Oil objects to the definition of the terms "YOU" and "YOUR" as overbroad, vague and ambiguous.
7. Union Oil objects to the definition of the terms "RELEVANT GEOGRAPHIC AREA" as defined by Plaintiff as the entire City of Fresno, including, but not limited to, all unincorporated areas served by the City of Fresno's public utilities department, because that

definition is overbroad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and it would be unduly burdensome for Union Oil to locate and produce responsive information. Union Oil objects to producing information relating to its supply of gasoline to any station other than the Stations identified by Plaintiff.

8. Where Union Oil has objected to one or more terms in an interrogatory as "vague" and/or "ambiguous," it may respond to the Interrogatory pursuant to a reasonable good faith interpretation of that Interrogatory or after a meet and confer process.

9. Union Oil objects to each Interrogatory to the extent it seeks information or DOCUMENTS that are not limited in time or scope.

10. Union Oil objects to each Interrogatory to the extent it seeks information or DOCUMENTS that are not limited to the relevant time period in this action.

11. Union Oil objects to each Interrogatory on the ground of undue burden to the extent it seeks copies of scientific, government or other materials that are equally available to Plaintiff and not in Union Oil's actual possession, custody or control. Union Oil does not waive its objection in the event of Union Oil's inadvertent production of such scientific, government or other materials. Furthermore, Union Oil's production of scientific, government or other publicly available materials does not constitute an admission that the material(s) was/were in Union Oil's possession, custody or control at any particular point in time.

12. Union Oil objects to each Interrogatory to the extent they are overbroad and unduly burdensome relative to the utility to Plaintiff of the information requested. Moreover, Union Oil objects to each Interrogatory to the extent that it would be oppressive for Union Oil to search for, locate, review and produce the voluminous information or documents requested, if any exist.

13. Union Oil objects to Plaintiff's Interrogatories to the extent they seek disclosure of confidential or proprietary information, trade secrets and/or confidential business or commercial information. All responses are subject to appropriate confidentiality agreements negotiated, or to be negotiated, between the parties or as may be imposed by the Court.

14. The information Union Oil produces in response to Plaintiff's Interrogatories, if any, will be produced solely for the purpose of this action. Such information is subject to all objections regarding relevance, authenticity, materiality, propriety and admissibility and any other objections that would require exclusion of the information, if such information were offered as evidence at trial, all of which objections are hereby expressly reserved and may be interposed at the time of trial.

INTERROGATORY RESPONSES

1. IDENTIFY the address of each gasoline station that YOU own or owned within the RELEVANT GEOGRAPHIC AREA since 1979.

1a. State the dates of ownership for each station YOU identified.

Response:

In addition to its general objections, all of which is incorporated by reference here, Union Oil objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Union Oil objects to the definition of the terms "YOU" and "YOUR" as overbroad, vague and ambiguous. Union Oil objects to the definition of the terms "RELEVANT GEOGRAPHIC AREA" as defined by Plaintiff as the entire City of Fresno, including, but not limited to, all unincorporated areas served by the City of Fresno's public utilities department, because that definition is overbroad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and it would be unduly burdensome for Union Oil to locate and produce responsive information. Union Oil objects to this Interrogatory to the extent it is overbroad and unduly burdensome relative to the utility to Plaintiff of the information requested. Moreover, Union Oil objects to this Interrogatory to the extent that it would be oppressive for Union Oil to

search for, locate, review and produce the voluminous information or documents requested, if any exist. Union Oil objects that this interrogatory is not limited to the relevant time period. Union Oil limits its response to the Stations identified by Plaintiff. Subject to and without waiving the foregoing objections and subject to that interpretation, Union Oil responds as follows:

Union Oil refers to its preliminary statement above, all of which is incorporated by reference here.

2. IDENTIFY the address of all gasoline stations that YOU operate or operated within the RELEVANT GEOGRAPHIC AREA since 1979.

2a. State the dates of operation for each station YOU identified.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 1, all of which are incorporated by reference here.

3. IDENTIFY the address of all gasoline stations that YOU lease or have leased within the RELEVANT GEOGRAPHIC AREA since 1979.

3a. State the lease dates for each station YOU identified.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 1, all of which are incorporated by reference here.

4. IDENTIFY the address of all gasoline stations with which YOU have or have had a retail supply contract within the RELEVANT GEOGRAPHIC AREA since 1979.

4a. State the retail supply contract dates for each station YOU identified.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 1, all of which are incorporated by reference here. In addition, Union Oil objects that the term "retail supply contract" is vague and ambiguous.

5. IDENTIFY all jobbers, franchisees and/or distributors to whom YOU supplied MTBE gasoline within the RELEVANT GEOGRAPHIC AREA since 1979.

5a. State the dates that YOU supplied MTBE gasoline to each jobber, franchisee, and/or distributor that YOU identified.

Response:

Union Oil refers to its objections and responses to Interrogatory No. 1, all of which are incorporated by reference here. Furthermore, Union Oil objects that this interrogatory seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence, in that it not limited to deliveries to the Stations identified by Plaintiff, nor is it limited to the jobbers identified in Plaintiff's deposition notice relating to jobbers or April 7 letter relating to jobbers. Union Oil limits its response to the jobbers and terminals identified in Plaintiff's deposition notice and April 7 letter. Union Oil no longer has much of the information sought.

Subject to and without waiving the foregoing objections and limitations, Union Oil responds as follows:

Union Oil's investigation is ongoing. Due to the passage of time and the sale of its marketing and refining assets to Tosco in April 1997, Union Oil no longer has much of the information sought.

6. IDENTIFY each refinery that YOU own or owned which provided MTBE gasoline to the RELEVANT GEOGRAPHIC AREA since 1979.

- 6a. State the dates of ownership for each refinery YOU identified;**
- 6b. State the dates that YOU added MTBE to gasoline manufactured by each refinery YOU identified;**
- 6c. IDENTIFY each entity which supplied MTBE to each refinery YOU identified.**

Response:

In addition to Union Oil's general objections, all of which are incorporated by reference here, Union Oil objects to this Interrogatory to the extent it seeks information that is neither relevant to nor reasonably calculated to lead to the discovery of admissible evidence. Union Oil objects to the definition of the terms "YOU" and "YOUR" as overbroad, vague and ambiguous. Union Oil objects to the definition of the terms "RELEVANT GEOGRAPHIC AREA" as defined by Plaintiff as the entire City of Fresno, including, but not limited to, all unincorporated areas served by the City of Fresno's public utilities department, because that definition is overbroad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and it would be unduly burdensome for Union Oil to locate and produce responsive information. Union Oil objects to this Interrogatory to the extent it seeks information or DOCUMENTS that are not limited to the relevant time period in this action. Union Oil objects to this Interrogatory to the extent it is overbroad and unduly burdensome relative to the utility to Plaintiff of the information requested. Moreover, Union Oil objects to this Interrogatory to the extent that it would be oppressive for Union Oil to search for, locate, review and produce the voluminous information or documents requested, if any exist. Subject to and without waiving the foregoing objections, Union Oil responds as follows:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 1, all of which are incorporated by reference here

7. IDENTIFY each terminal that YOU own or owned which served the RELEVANT GEOGRAPHIC AREA since 1979.

- 7a. State the dates of ownership for each terminal YOU identified;
- 7b. IDENTIFY all Exchange and/or Throughput Partners for each terminal YOU identified;
- 7c. IDENTIFY each pipeline used to supply gasoline for each terminal YOU identified.

Response:

In addition to Union Oil's general objections, all of which are incorporated by reference here, Union Oil objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Union Oil objects to the definition of the terms "YOU" and "YOUR" as overbroad, vague and ambiguous. Union Oil objects to the definition of the terms "RELEVANT GEOGRAPHIC AREA" as defined by Plaintiff as the entire City of Fresno, including, but not limited to, all unincorporated areas served by the City of Fresno's public utilities department, because that definition is overbroad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and it would be unduly burdensome for Union Oil to locate and produce responsive information. Union Oil objects to this Interrogatory to the extent it seeks information or DOCUMENTS that are not limited to the relevant time period in this action. Union Oil objects to this Interrogatory to the extent it is overbroad and unduly burdensome relative to the utility to Plaintiff of the information requested. Moreover, Union Oil objects to this Interrogatory to the extent that it would be oppressive for Union Oil to search for, locate, review and produce the voluminous information or documents requested, if any exist. Subject to and without waiving the foregoing objections, Union Oil responds as follows:

Union Oil refers to its preliminary statement and Interrogatory No. 5, all of which Union Oil incorporates by reference here. At the time of the sale of its marketing and refining assets to Tosco, Union oil held a fee interest in terminals located at 1148, 1150, and 1300 Canal Boulevard, Richmond, California and at 79 Broadway, Sacramento, California. For additional information, Union Oil refers Plaintiff to Union Oil's Supply Declaration, all of which is incorporated by reference here. Due to the passage of time and the sale of its marketing and refining assets to Tosco in April 1997, Union Oil no longer has much of the information sought.

8. IDENTIFY each terminal at which YOU have or had a position which served the RELEVANT GEOGRAPHIC AREA since 1970.

8a. State the dates of during which YOU maintained a position for each terminal YOU identified.

Response:

Union Oil refers to its preliminary statement and its objections and responses to Interrogatory No. 7, all of which are incorporated by reference here. In addition, Union Oil objects the phrases "have or had a position" and "maintained a position" are vague and ambiguous.

9. IDENTIFY the terminals at which YOU have or had the right to use gasoline loading racks which served the RELEVANT GEOGRAPHIC AREA since 1979.

9a. State the dates during which YOU have or had the right to use gasoline loading racks for each terminal YOU identified.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 7, all of which are incorporated by reference here.

10. State the annual total volume of MTBE-containing gasoline which YOU supplied, sold, marketed or distributed within the RELEVANT GEOGRAPHIC AREA from 1979 to the present.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory Nos. 1, all of which are incorporated by reference here.

11. For each year from 1986 to 2003, state the annual volume, in U.S. gallons, of MTBE gasoline that YOU produced in the United States that YOU Provided to common carrier pipelines which serve the RELEVANT GEOGRAPHIC AREA.

Response:

Union Oil objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Union Oil objects to the definition of the terms "YOU" and "YOUR" as overbroad, vague and ambiguous. Union Oil objects to the definition of the terms "RELEVANT GEOGRAPHIC AREA" as defined by Plaintiff as the entire City of Fresno, including, but not limited to, all unincorporated areas served by the City of Fresno's public utilities department, because that definition is overbroad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and it would be unduly burdensome for Union Oil to locate and produce responsive information. Union Oil objects to this Interrogatory to the extent it is overbroad and unduly burdensome relative to the utility to Plaintiff of the information requested. Moreover, Union Oil objects to this Interrogatory to the extent that it would be oppressive for Union Oil to search for, locate, review and produce the voluminous information or documents

requested, if any exist. Union Oil limits this request to information relating to the volume of gasoline Union Oil supplied to the Stations identified by Plaintiff.

Union Oil refers to its preliminary statement and objections and responses to Interrogatory Nos. 1, all of which are incorporated by reference here.

12. IDENTIFY the address of each gasoline station where YOU own or owned the underground storage tanks within the RELEVANT GEOGRAPHIC AREA since 1979.

12a. State the dates of ownership for each station YOU identified.

Response:

Union Oil refers to its preliminary statement and objections and responses to Interrogatory No. 1, all of which are incorporated by reference here.

Dated: Houston, Texas
August 12, 2011

Respectfully submitted,

James J. Maher b.p.

Robert E. Meadows
Charles C. Correll, Jr.
James J. Maher
KING & SPALDING LLP
1100 Louisiana, Suite 4000
Houston, Texas 77002
Telephone: (713) 751-3200
Facsimile: (713) 751-3290

Attorneys for Union Oil Company of California

VERIFICATION

I, [INSERT NAME], declare and state as follows:

I am [INSERT TITLE] of Union Oil Company of California, and I am authorized to make this verification for and on the behalf of Union Oil Company of California., and I make this verification for that reason.

I have read the foregoing Supplemental and Amended Responses of Union Oil Company of California to Plaintiff's First Set of Interrogatories in this matter entitled In Re Methyl Tertiary Butyl Ether Products Liability Litigation: *City of Fresno v. Chevron U.S.A Inc., et al.* 04 Civ. 04973 (SAS) MDL 1358, in the United States District Court for the Southern District of New York. I am informed and believe that the matters stated in the interrogatory responses therein are true as they relate to Union Oil Company of California, and on that ground allege that the matters stated therein are true. I do not believe that any one person for Union Oil Company of California knows all of the matters stated therein, and therefore these responses were prepared with the assistance and advice of representatives of, and counsel for, said Union Oil Company of California upon whose assistance and advice I have relied. These responses are limited by the records and information still in existence, presently recollected and thus far discovered in the course of preparation of these responses. Union Oil Company of California reserves the right to change or supplement said responses, or to apply for relief to permit insertion of unintentionally omitted matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at San Ramon, California, this _____ day of August, 2011

[INSERT NAME AND TITLE]

Certificate of Service

I hereby certify that on the 12 day of August, 2011, a true, correct, and exact copy of the foregoing document was served on all counsel via LexisNexis File & Serve.

James J. Maher
James J. Maher

b.p

S P

EXHIBIT 22

Deposition of Gail Blue / March 18, 2011

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -oo-

4 In re: Methyl Tertiary Butyl
5 Ether ("MTBE") Products
6 Liability Litigation

Master File No.
1:00-1898

7 This Document Relates To:

8 Case No.
9 City of Fresno MDL 1358 (SAS)

v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

10 DEPOSITION OF GAIL BLUE

11 March 18, 2011 at 1:00 (1:09) p.m.

12 Before: ERIC L. JOHNSON
13 RPR, CSR #9771

14 Taken at:
15 Fresno, California

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Deposition of Gail Blue / March 18, 2011

Page 16

1 A. No.

2 Q. Have you ever worked for any other gas or
3 petroleum company other than Red Triangle Oil?

4 A. No.

5 Q. Do you recall -- well, strike that.

6 When you sold the business in 2002, you sold
7 the buildings, did you also sell the USTs?

8 A. Yes, they took everything.

9 Q. Okay. Do you know what MTBE is?

10 A. Yes, it's -- it is something that's put in
11 fuel. They say that it is -- at this time I guess it is
12 not supposed to be really good for you, but at the time
13 that they put it in there there was -- we were mandated
14 to put it in there by the State of California, so -- I
15 mean, we didn't put it in there, the companies did. And
16 we bought the fuel from -- from whomever we bought it
17 from.

18 Q. Who did you buy the fuel from?

19 A. Oh, we bought from everybody. We bought from
20 Exxon. At that time we were an Exxon dealer so, you
21 know, if we had an Exxon station, we put Exxon fuel in
22 the Exxon stations. But the stations that were
23 unbranded, we could put any fuel into, so we could pull
24 whatever fuel we want, you know, could get at a cheaper
25 price from the refinery. And so -- and -- and our

Deposition of Gail Blue / March 18, 2011

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1 plant, because we sold to farmers. So --

2 Q. And the plant was at 2809 --

3 A. Yes.

4 Q. -- South Chestnut Avenue?

5 A. Yes.

6 Q. What other facilities were at that site? I

7 assume that's a bulk plant, correct?

8 A. It is a bulk plant.

9 Q. Yeah.

10 A. And the station out in front there. That

11 was -- where we sold fuel to vehicles.

12 Q. And so who did you buy -- which gas or

13 petroleum companies did you buy from at that site,

14 2809 South Chestnut?

15 MS. KLEAVER: Calls for speculation.

16 MR. STEEVES: Q. From the -- for the years

17 that you were present at the site.

18 A. Gee. Well, I know we bought from Exxon. I

19 don't think we ever bought from Chevron, that I am aware

20 of. I didn't buy -- purchase the fuel, okay? I had a

21 purchasing agent that did all the buying, Jack Allen;

22 and he's deceased.

23 Q. You say Allen?

24 A. Jack Allen, A-l-l-e-n.

25 Q. Thank you.

Deposition of Gail Blue / March 18, 2011

Page 18

1 A. And I don't know all the people he bought from.
2 We -- you know, we bought from a lot of different
3 sources. I think we bought from Tesoro, Exxon. There
4 was another one. I am not sure about Atlantic or ARCO.
5 We might have bought some from ARCO. I am not really
6 sure. BP, I think we bought -- I think we bought some
7 from them. I am not aware that we ever bought anything
8 from Chevron. We bought Chevron products but not fuel.
9 The rest of them here I don't -- I don't really
10 recognize those names, but --

11 Q. Do you recall any time periods for when you
12 bought from those companies?

13 A. No, I don't.

14 Q. Okay. Do you recall who delivered the gasoline
15 to the site at 2809 South Chestnut?

16 A. We had our own truck and trailers.

17 Q. And do you know where they picked up from?

18 A. From the plant -- the place in Fresno out
19 there. I don't know even the address of it. But it was
20 a pipeline. It was a pipeline out not too far from us.

21 Q. You don't recall the name?

22 A. No.

23 Q. Do you recall if you had any agreements to buy
24 a particular brand of gasoline?

25 A. I think the only one we had was Exxon. But I

Deposition of Gail Blue / March 18, 2011

Page 19

1 am not really sure because I didn't do that, you know.

2 I wasn't into that part of the --

3 Q. Was there anybody besides Jack Allen who you
4 dealt with purchasing gasoline?

5 A. Jack was it --

6 Q. Okay.

7 A. -- when I was there.

8 Q. Do you recall when he passed away?

9 A. I wasn't -- I was in Avila, and it was probably
10 at least six years ago.

11 (Deposition Exhibit 2 marked for
12 identification)

13 MR. STEEVES: I will hand you what's been
14 marked as Exhibit 2. It is a Business Plan Registration
15 form from the County of Fresno. Looks like it is dated
16 January 31st, 1991.

17 A. Mm-hmm.

18 Q. Has the Bates No. FCDEH-FRESNO-014792 through
19 014800.

20 Have you seen that document before?

21 A. Yeah. I do remember it. I signed it.

22 Q. I noticed that the --

23 A. Many years ago.

24 Q. Did you prepare the document?

25 A. You know, this doesn't look like my

EXHIBIT 23

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-oo-

In re: Methyl Tertiary Butyl
Ether ("MTBE") Products
Liability Litigation

Master File No.
1:00-1898

This Document Relates To:

City of Fresno
v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

Case No.
MDL 1358(SAS)

COPY

DEPOSITION OF GLEN R. BLUE

March 17, 2011 at 1:00 (1:17) p.m.

Before: ERIC L. JOHNSON
RPR, CSR #9771

Taken at:
Fresno, California

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Deposition of Glen R. Blue / March 17, 2011

1 period you worked there?

2 A. Run that by me again.

3 MS. KLEAVER: Same objection.

4 MR. STEEVES: Q. Do you recall if Red Oil
5 (sic) had an agreement to buy a certain brand of
6 gasoline during the time period you worked there?

7 MS. KLEAVER: Same objection.

8 THE WITNESS: I can't tell you who had the
9 contracts, but no doubt they did. They committed to buy
10 a certain amount of gas.

11 MR. STEEVES: Q. But you can't recall the --
12 the company?

13 MR. PARSEGHIAN: Objection; asked and answered.
14 THE WITNESS: The company bought from various
15 people over a period -- I don't know what time frame you
16 are looking at.

17 MR. STEEVES: Q. Let's start with the time
18 period in the 1980s.

19 A. The biggest supplier is Exxon. That was the
20 brand. Then they had various rebrand gas.

21 Q. You said that was the biggest supplier. Were
22 there other suppliers?

23 A. Did the company buy from other people or people
24 delivered in?

25 Q. Did the company buy from other people?

Deposition of Glen R. Blue / March 17, 2011

1 STATE OF CALIFORNIA)
2 COUNTY OF STANISLAUS) (ss.

3 I, ERIC L. JOHNSON, do hereby certify that I am a
4 licensed Certified Shorthand Reporter, duly qualified
5 and certified as such by the State of California;

6 That prior to being examined, the witness named in
7 the foregoing deposition was by me duly sworn to testify
8 to tell the truth, the whole truth, and nothing but the
9 truth;

10 That the said deposition was by me recorded
11 stenographically at the time and place herein mentioned;
12 and the foregoing pages constitute a full, true,
13 complete and correct record of the testimony given by
14 the said witness;

15 That I am a disinterested person, not being in any
16 way interested in the outcome of said action, or
17 connected with, nor related to any of the parties in
18 said action, or to their respective counsel, in any
19 manner whatsoever.

20

21 DATED: March 28, 2011

22

23

24

EJ

EXHIBIT 24

Deposition of Narinder Singh / March 16, 2011

Page 22

1 Q. Did you have any particular course of study in
2 college?

3 A. No.

4 Q. How about after you came to the United States,
5 did you have any college?

6 A. No, sir.

7 Q. So if we talk about "the station" for
8 shorthand, can we agree --

9 A. Yes.

10 Q. -- that we are talking about 4594 East Tulare
11 here in Fresno?

12 A. Yes.

13 Q. If I ever ask something about the Selma one,
14 I'll -- I will try -- I will specify that so we are
15 clear, but otherwise I will be asking you about the
16 Fresno station.

17 A. Yes, sir.

18 Q. Can you tell us what year you first became
19 affiliated with the Fresno station?

20 A. 1994. We leased that station and we own
21 inside, and the gas was owned by El Monte Gas. El Monte
22 Gas, Mr. Don Doyle bought that station from, I believe,
23 Beacon Oil Company.

24 Q. When you say, "We owned the inside," are you --
25 are you meaning that you owned the building?

Deposition of Narinder Singh / March 16, 2011

Page 25

1 from Mr. Doyle and replaced the tank and the piping.

2 Q. What was the station called starting in 1999?

3 A. Circle 6.

4 Q. Did it have another name after Circle 6?

5 A. It was Tulare Street ARCO before that when
6 Doyle had it, and we called Tulare Street ARCO.

7 Q. Is it on Tulare Avenue or Tulare Street?

8 A. Tulare Street.

9 Q. Okay. I am sorry. I think I said Tulare
10 Avenue earlier. Let me make a note of that. So it is
11 4594 East Tulare Street in Fresno?

12 A. Yes, sir.

13 Q. So when it was an ARCO it was called the Tulare
14 Street ARCO, starting in 1994?

15 A. Yes, sir.

16 Q. And then about 1999 it became Circle 6?

17 A. Yes, sir.

18 Q. And did it have a name after Circle 6?

19 A. We kept it Circle 6 where we did brand Exxon.

20 My best knowledge. I don't know exact year and the
21 date, but I believe in 2003 or 2002 we brand Exxon.

22 Q. When you say you brand Exxon, you started
23 selling Exxon branded gasoline?

24 A. Yes, sir.

25 Q. We might see some documents that say Exxon that

Deposition of Narinder Singh / March 16, 2011

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1 They pull wherever they pull from. And they always have
2 bill of lading and say where they pull from, but we
3 don't pay attention to it so I can't say, you know.

4 Q. Do you still have any bills of lading from the
5 time it was Circle 6 with unbranded gas?

6 A. Yes.

7 Q. You still have bills of lading in your
8 possession?

9 A. Well, you know, we have to go back so I can
10 find it, yes.

11 Q. Well, I think -- because that was the kind of
12 thing that we were looking for with the subpoena. So
13 can we talk to you after --

14 A. Yes.

15 Q. -- the deposition about trying to get copies of
16 that?

17 A. Yes.

18 Q. For Julien Oil, do you recall where they were
19 located, what city?

20 A. In Visalia.

21 Q. And then when you mentioned it was Circle 6 and
22 you switched to Exxon brand about 2002 or 2003, is it
23 correct that you started having deliveries of Exxon
24 brand gasoline at that point?

25 A. Yes.

Deposition of Narinder Singh / March 16, 2011

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1 MS. KLEAVER: Objection; calls for speculation,
2 lacks foundation.

3 MR. EICKMEYER: Q. Now -- when she's done
4 talking now, you can answer.

5 A. Oh, okay.

6 Q. So, I am sorry, what was your answer?

7 A. Yes. What your question was again?

8 MR. EICKMEYER: Well, if we can get a
9 read-back.

10 (Record read)

11 THE WITNESS: Yes.

12 MR. EICKMEYER: Q. After the Circle 6 name on
13 the station, has it had another name?

14 A. No.

15 Q. So it's still Circle 6 at the present day?

16 A. Yes.

17 Q. Is it still Exxon brand gas being sold there to
18 the present day?

19 A. No, sir.

20 Q. When did that change?

21 A. That change in 2006.

22 Q. And what brand did that change to?

23 A. Valero.

24 Q. Is it still Valero gas being sold there to the
25 present day?

EXHIBIT 25



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

MDL No 1358 (SAS)

DEFENDANT EXXON MOBIL
CORPORATION'S RESPONSES TO
PLAINTIFF CITY OF FRESNO'S
FIRST SET OF INTERROGATORIES

This Document Relates To:

City of Fresno v. Chevron U.S.A., Inc., et al.,
04 Civ. 04973

Defendant Exxon Mobil Corporation ("ExxonMobil"), by and through counsel and pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York, hereby responds to Plaintiff's First Set of Interrogatories to Defendants ("Interrogatories") as follows:

PRELIMINARY STATEMENT

The following response and objections state ExxonMobil's knowledge, information and belief as of the date of such response and objections. Further investigation, discovery and analysis may uncover additional information, add meaning to known facts and/or support new factual conclusions and legal contentions, all of which may lead to changes in ExxonMobil's responses herein. Such investigation and discovery are continuing, and ExxonMobil specifically reserves the right to supplement this response and the right to rely at trial on subsequently discovered information inadvertently omitted from this response as a result of mistake, error or oversight.

Further, as stated in the October 9, 2008 and October 21, 2008 letters from William Temko to Duane Miller, ExxonMobil objects to the identification of the stations requested by this Interrogatory until such time as Plaintiff identifies the wells and service stations at issue in this case.

Subject to and without waiving the foregoing objections, ExxonMobil responds that Exhibit 4 lists those pre-merger Mobil branded stations which were owned and operated by independent dealers with whom Mobil had a petroleum marketing franchise agreement for the supply of gasoline in the City of Fresno. ExxonMobil is in the process of retrieving archived information from a legacy database which should identify pre-merger Exxon branded stations operating in the City of Fresno from 1987 through 1999. ExxonMobil has identified no ExxonMobil branded stations owned and operated by independent dealers.

INTERROGATORY NO. 5:

IDENTIFY all jobbers, franchisees and/or distributors to whom YOU supplied MTBE gasoline within the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates that YOU supplied MTBE gasoline to each jobber, franchisee, and/or distributor that YOU identified.

RESPONSE TO INTERROGATORY NO. 5:

In addition to its General Objections, which are incorporated herein as if set forth in full, ExxonMobil objects to this interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. ExxonMobil further objects on the grounds that this interrogatory seeks information not relevant to the subject matter of this case and not reasonably calculated to lead to the discovery of admissible evidence.

ExxonMobil also objects to this interrogatory on the ground of the attorney-client privilege to the extent that it seeks disclosure of information which refers to, relates to or

contains confidential communications between attorney and client. ExxonMobil also objects to this interrogatory on the ground of the attorney-work product doctrine to the extent that it seeks disclosure of information which refers to, relates to or contains research, investigations or analysis prepared under the supervision and/or direction of ExxonMobil's attorneys in the anticipation of or in preparation for litigation.

ExxonMobil further objects to the defined terms "IDENTIFY" and "YOU" on the grounds that they deviate from or purport to impose requirements other than or in addition to those required by Local Civil Rule 26.3, and therefore, this interrogatory is vague and ambiguous, burdensome, overbroad, and seeks information not relevant to the allegations asserted in Plaintiff's complaint. ExxonMobil also states that the term "franchisees" is undefined and, as such, is vague and ambiguous. ExxonMobil understands the term to refer to independent dealers with whom ExxonMobil has entered retail supply contracts and has responded to that question, as is understood by ExxonMobil, in response to Interrogatory No. 4.

Further, as stated in the October 9, 2008 and October 21, 2008 letters from William Temko to Duane Miller, ExxonMobil objects to the identification of jobbers and distributors as requested by this Interrogatory until such time as Plaintiff identifies the wells and service stations at issue in this case.

Subject to and without waiving the foregoing objections, ExxonMobil responds that Exhibits 5A and 5B, respectively, list those pre-merger Mobil branded and post-merger ExxonMobil branded distributors/stations in the City of Fresno. For the distributors supplying product prior to 1995 (Tesei and Burrows), ExxonMobil has been unable to identify the individual station locations to which the distributors supplied product. For the distributors supplying product after 1995 (Stuarts Petroleum and Valero), ExxonMobil has been unable to identify the exact years or volumes which may have been delivered by the distributor to each of the individual stations listed in Exhibit 5A and 5B. However, data indicates that Stuart Petroleum delivered product to the City of Fresno from 1995 through 1999 and that Valero ceased deliveries in September, 2001. ExxonMobil is in the process of retrieving archived

information from a legacy database which should identify pre-merger Exxon branded stations operating in the City of Fresno from 1987 through 1999.

INTERROGATORY NO. 6:

IDENTIFY each refinery that YOU own or owned which provided MTBE gasoline to the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of ownership for each refinery YOU identified;
- b. State the dates that YOU added MTBE to gasoline manufactured by each refinery YOU identified;
- c. IDENTIFY each entity which supplied MTBE to each refinery YOU identified.

RESPONSE TO INTERROGATORY NO. 6:

In addition to its General Objections, which are incorporated herein as if set forth in full, ExxonMobil objects to this interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. ExxonMobil objects to these discovery requests to the extent they seek information relating to events that occurred prior to the initial manufacture, sale, or distribution by ExxonMobil of gasoline containing MTBE on the grounds that those discovery requests are overbroad, unduly burdensome and oppressive, and on further grounds that they seek information not relevant to the subject matter of this case and not reasonably calculated to lead to the discovery of admissible evidence. ExxonMobil also objects on the grounds that this interrogatory generally seeks information not relevant to the subject matter of this case and not reasonably calculated to lead to the discovery of admissible evidence.

ExxonMobil further objects to this interrogatory on the grounds that the undefined terms "provided" and "supplied" are vague, ambiguous and unintelligible, in that it fails to describe with specificity or reasonably particularize the information requested, and is thus

EXHIBIT 26

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -oo-

4 In re: Methyl Tertiary Butyl
5 Ether ("MTBE") Products
6 Liability Litigation

7 Master File No.
8 1:00-1898

9 This Document Relates To:

10 City of Fresno Case No.
11 v. Chevron U.S.A. Inc., et al., MDL 1358 (SAS)
12 Case No. 04 Civ. 4973

13 DEPOSITION OF JAMES CLEMENTS
14 March 29, 2011 at 9:00 (10:03) a.m.
15 Before: ERIC L. JOHNSON
16 RPR, CSR #9771

17 Taken at:
18 Fresno, California

19
20
21
22
23
24
25

Page 25

1 think the 1,000 gallon tank was the premium tank and
2 that was the one closest to the office.

3 Q. Okay. So you think the tank identified as
4 Tank 1 on this precision test would be the tank south of
5 the store on --

6 A. That is correct.

7 Q. Okay. Under brand supplier, it says Chevron.

8 Do you recall if Chevron supplied the gas for
9 this station?

10 A. You have to -- no, I didn't buy any gasoline
11 from Chevron when I owned the station. My dad did from
12 1926 -- or 1928, I should say, until 1986, he dealt
13 directly with Chevron. When my dad passed away, within
14 a couple of days after his death Chevron cancelled the
15 contract with me, with the station, per se, and I had to
16 go to R.V. Jensen & Company, which is a jobber, a local
17 distributor here in town, and they handled Chevron
18 products. So I didn't buy anything direct from Chevron.
19 It was through R.V. Jensen & Company here in town. They
20 were a jobber or a distributor or whatever you want to
21 call it.

22 Q. And you said R.V. Jensen & Company used Chevron
23 products?

24 A. They were --

25 MR. DAVIS: Objection. One second. Objection;

Page 26

1 overbroad, vague as to time period and location.

2 THE WITNESS: What?

3 MR. DAVIS: I said -- you can read my
4 objections back if you want to.

5 (Record read)

6 MR. STEEVES: Q. I think the question pending
7 is you just stated that R.V. Jensen & Company used
8 Chevron products. Correct?

9 A. They were a Chevron distributor and I bought
10 from them.

11 Q. Do you recall the contact person with R.V.
12 Jensen?

13 A. No. There were a couple out there, I don't
14 remember who they were.

15 Q. Do you know if R.V. Jensen & Company used any
16 other suppliers?

17 A. No, sir, I don't.

18 Q. Do you recall the date that your contract --
19 your father's contract with Chevron was cancelled?

20 A. No.

21 Q. You said it was sometime in 1986; is that
22 correct?

23 A. Yeah, it was in 1986.

24 Q. Who is responsible for -- who at the station
25 was responsible for ordering gasoline?

Page 27

1 A. Terry Kraft.

2 Q. Do you know where Mr. Kraft is today?

3 A. I have no idea. I haven't seen him since '91.

4 Q. Do you recall how gasoline was delivered to
5 your site by R.V. Jensen?

6 A. In a truck. Tanker truck.

7 Q. Do you know where that gas was picked up from
8 before it was delivered to you?

9 A. I assume out of their facility, which was south
10 of town there. They had a -- R.V. Jensen was a
11 distributor for Chevron, and they had a plant out south
12 of town. I assumed that's where they got it, because it
13 was always in an R.V. Jensen truck, so I --

14 Q. You stated that you sold the station in 1991;
15 is that correct?

16 A. Yes.

17 Q. Do you recall the approximate date?

18 A. I wish I could tell you, but I don't want to be
19 quoted as to the approximate -- 1991. I don't remember
20 the month.

21 Q. Do you recall who you sold the station to?

22 A. A fellow by the name of Garabed Bedirian.

23 MR. STEEVES: I will hand you what's been
24 marked as Exhibit 6.

25 / / /

EXHIBIT 27

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3

4 In re: Methyl Tertiary Butyl) Master File No.
5 Ether ("MTBE") Products) 1:00-1898
6 Liability Litigation) MDL 1358 (SAS)
7)
8

9 This Document Relates To:
10

11 CITY OF FRESNO,)
12)
13 Plaintiff,)
14)
15 vs.)
16 CASE NO.
17 CHEVRON U.S.A., INC., et al.,) 04 Civ. 4973 (SAS)
18)
19 Defendants.)
20)
21

22 VIDEOTAPED DEPOSITION OF GARABED BEDIRIAN
23

24 Monday, April 4, 2011, at 9:41 a.m.

25 2800 North Green Valley Parkway
 Henderson, Nevada

REPORTED BY: PEGGY S. ELIAS, RPR

Nevada CCR No. 274 - California CSR No. 8671

1 containing MTBE at your station?

2 A. I don't know.

3 Q. Do you recall who delivered your gasoline to
4 the station at the time you owned it?

5 A. From what -- first day till the last day, I
6 always bought it from Jensen. No one else.

7 Q. Do you recall if you bought a particular
8 brand of gasoline?

9 A. There were two kinds, the unleaded and the
10 super unleaded.

11 Q. Do you recall if you purchased a particular
12 brand from a particular company, oil company?

13 A. Jensen was Chevron, and I know that all my
14 signs were Chevron, and the trucks that came, they were
15 all Chevron trucks.

16 Q. The trucks that delivered gasoline to your
17 station were Chevron trucks?

18 A. Yes, they were. I have all the Chevron signs
19 on it.

20 Q. Do you recall how often gasoline was
21 delivered to your station?

22 A. Every time we felt that it was really low, we
23 used to call them, and the second day morning they were
24 there right away delivering.

25 Q. Did you generally make the calls for ordering

EXHIBIT 28

Page 1

1

2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF NEW YORK

4

5 CITY OF FRESNO,)
6 Plaintiff,)
7 vs.) No. 04 CIV. 4973
8 CHEVRON U.S.A. INC., et al.,) (SAS)MDL 1358
9 Defendants.)
-----)

10

11

12 DEPOSITION OF
13 SHIRLEY McMURPHY AHMAD
14 FREMONT, CALIFORNIA
15 WEDNESDAY, FEBRUARY 16, 2011

16

17
18 DEPOBOOK REPORTING SERVICES
19 Certified Shorthand Reporters
20 1600 G Street, Suite 101
21 Modesto, California 95354
22 800-830-8885

23

24 REPORTER: DENISE WHEELER, CSR NO. 8254

25

Page 16

1 were, you know, going through the whole thing and
2 inventories and all that. So I know we bought them from
3 Beacon.

4 Q. Do you remember who you dealt with at Beacon as
5 part of that purchase process?

6 A. I don't. I didn't really deal with them. My
7 husband did.

8 Q. Is it your understanding that the gasoline then was
9 initially supplied by Beacon, and then their name switched
10 to Ultramar at some point.

11 A. That's what I'm thinking, yes.

12 Q. At some point did the brand of the station change
13 to Valley Gasoline?

14 A. Yes, that happened later.

15 Q. Do you have a knowledge as to who supplied gasoline
16 during the time the station was called Valley Gasoline?

17 A. I'm not sure. My husband would know. I don't
18 know.

19 Q. Your husband mentioned some companies call Total
20 Energy and Sabek Oil?

21 A. Okay. Yes.

22 Q. Those are familiar?

23 A. Yes.

24 Q. Do you recall any other companies besides those two
25 that might have supplied gasoline to the station when it was

1 | called Valley Gasoline?

2 A. I'm sorry?

3 Q. Do you remember any other companies besides those
4 two, Total Energy and Sabek Oil who supplied gasoline to the
5 station when it was called Valley Gasoline?

6 A. If you say some names, maybe I would know. But I
7 just don't remember offhand. Like when you said Sabek and
8 Total, then I knew, yes.

9 Q. So you don't recall any other names besides those
10 two?

A. Not offhand. It's been a long time.

12 Q. Sure. We just want to get your best recollection,
13 so what you can remember.

14 I'm going to show you what I'm marking as
15 Exhibit 2. I'm sorry, I'll try to get it close to you
16 there.

17 (Exhibit No. 2 was marked for
18 identification.)

19 MR. EICKMEYER: Q. This was also Exhibit 2 to
20 your husband's. This is County of Fresno Environmental
21 Health Application, Bates FCDEH hyphen Fresno hyphen 003657.
22 I want to ask you, Ms. Ahmad, if you look to about the
23 center of the page toward the left, do you recognize that as
24 being your signature?

25 A. Yes.

EXHIBIT 29



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION

Master File No. 1:00-1898
MDL 1358 (SAS)

This Document Relates To:

City of Fresno v. Chevron U.S.A., Inc., et al.
Case No. 04 Civ. 04973

SHELL DEFENDANTS' OBJECTIONS AND RESPONSES TO
PLAINTIFF CITY OF FRESNO'S
FIRST SET OF INTERROGATORIES TO DEFENDANTS

Defendants Shell Oil Company, Equilon Enterprises LLC d/b/a Shell Oil Products US, and TMR Company (collectively, the "Shell Defendants"), through counsel and pursuant to Rule 33 of the Federal Rules of Civil Procedure, provide the following Objections and Responses to Plaintiff City of Fresno's First Set of Interrogatories to Defendants.

PRELIMINARY STATEMENT

At this time, Defendant Shell Oil Company does not directly refine, market, distribute, or sell gasoline. Defendant Equilon Enterprises, doing business as Shell Oil Products US ("SOPUS"), is a Delaware limited liability company that owns and operates certain refining and marketing assets in the Western United States contributed by Shell Oil Company and Texaco Refining and Marketing Inc. upon its formation in January 1998. These assets include refineries, terminals, and certain Shell- and Texaco-branded service stations in the Western United States. SOPUS is now a wholly-owned, indirect subsidiary of Shell Oil Company. TMR Company was formerly known as Texaco Refining and Marketing Inc., which owned and operated the Western

Interrogatory No. 6: IDENTIFY each refinery that YOU own or owned which provided MTBE gasoline to the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of ownership for each refinery YOU identified;
- b. State the dates that YOU added MTBE to gasoline manufactured by each refinery YOU identified;
- c. IDENTIFY each entity which supplied MTBE to each refinery YOU identified.

Response to Interrogatory No. 6: In addition to their General Objections, which are incorporated herein as if set forth in full, the Shell Defendants object to this Interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, the Shell Defendants did not sell gasoline containing MTBE in California until even later, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. The Shell Defendants further object on the grounds that this Interrogatory seeks information not relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence.

The Shell Defendants further object to this Interrogatory on the grounds that the undefined terms "provided" and "supplied" are vague, ambiguous and unintelligible, in that it fails to describe with specificity or reasonable particularity the information requested, and is thus overbroad, unduly burdensome and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. The Shell Defendants further object to the defined terms "IDENTIFY" and "YOU" on the grounds that they deviate from or purport to impose requirements other than or in addition to those required by Local Civil Rule 26.3, and therefore, this Interrogatory is vague and ambiguous, burdensome, overbroad, and seeks information not relevant to the allegations asserted in Plaintiff's complaint.

The Shell Defendants also object to this Interrogatory on the ground that it is compound in that it contains four separate and distinct requests. The Shell Defendants further object to

this Interrogatory to the extent it is duplicative of prior discovery served in this case and other cases in MDL 1358, and therefore, this Interrogatory is burdensome and harassing. Without obligating themselves to do so, the Shell Defendants reserve the right to update their answer pending further investigations.

Subject to and without waiving the foregoing general and specific objections, the Shell Defendants respond as follows:

Responses 6a and 6b. Following is a list of the refineries that the Shell Defendants own or owned which provided MTBE gasoline to the RGA. Martinez received MTBE for the first time around 1991 and, on information and belief, did not use it for approximately one year. Use of MTBE at the Martinez Refinery ended in January 2003. Bakersfield first used MTBE to make wintertime oxygenated fuel in October 1992, although a few batches may have been run in late spring or early summer to prepare for the change in October. In 1995, Bakersfield began blending MTBE into gasoline year-round. MTBE has not been blended into gasoline at Bakersfield since January 2003.

Martinez Refinery	Owned by Shell 1915-1998; 2002-present
3485 Pacheco Boulevard	Owned by Equilon Enterprises 1998-2002
Martinez, CA 94553	

Bakersfield Refinery	Owned by TRMI (now TMR) 1989 to 1998
6451 Rosedale Highway	Owned by Equilon 1998 to 2004
Bakersfield, CA 93308	Sold to Big West/Flying J March 2005

Response 6c. Prior to the effective date of the Clean Air Act Amendments of 1990 (*i.e.*, November 1992), the Shell Defendants generally obtained neat MTBE from three sources: Arco Chemical Company, Texas Petrochemical Company, and Texaco Chemical Company. Following enactment of the Clean Air Act Amendments of 1990, which required increased use of MTBE in gasoline, Shell obtained MTBE from a number of suppliers

depending upon supply and demand issues. Suppliers of neat MTBE to the Shell Defendants in California since approximately 1996 have included Arco Chemical Company, BP West Coast Products LLC, Chevron U.S.A., Inc., ExxonMobil Oil Corporation, Petro Diamond, Inc., SABIC Americas, Inc., Sadaf, Tesoro Alaska Petroleum Co., ConocoPhillips Co., TFAMM, Valero Marketing and Supply Co., Kern Oil & Refining Co., Lyondell Petrochemical Co., Tesoro Refining and Marketing Co., Enron Clean Fuels Co., Murex N.A., Ltd., Ultramar Inc., Ultramar Diamond Shamrock, Star Enterprise, Noble Americas Corp., Vitol S.A., Inc., Oxygenated Marketing and Trading, Tradax Energy, Inc., Ecofuel S.p.A., Huntsman Petrochemical Corporation, American Agip, Oxygenate Division, Astra Oil Co., Inc., ATOFINA Petrochemicals, Inc., BP North American petroleum, BP Products North America, Flint Hills Resources, LP, Global Octanes Corp., Motiva Enterprises LLC, Neste Canada Inc., Texas Petrochemicals Corporation, Trammochem, Equiva Trading, LTC Limited, Tauber Oil Company, Glencore Ltd., and Chevron U.S.A. Products Co. It cannot be determined with precision which company's MTBE was blended into gasoline that was shipped to any particular locality.

Interrogatory No. 7: IDENTIFY each terminal that YOU own or owned which served the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of ownership for each terminal YOU identified;
- b. IDENTIFY all Exchange and/or Throughput Partners for each terminal YOU identified;
- c. IDENTIFY each pipeline used to supply gasoline for each terminal YOU identified.

Response to Interrogatory No. 7: In addition to their General Objections, which are incorporated herein as if set forth in full, the Shell Defendants object to this Interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery

to 1986, the Shell Defendants did not sell gasoline containing MTBE in California until even later, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. The Shell Defendants further object on the grounds that this Interrogatory seeks information not relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence.

The Shell Defendants further object to this Interrogatory on the grounds that the undefined terms "served," "Exchange and/or Throughput Partners" and "supply" are vague, ambiguous and unintelligible, in that they fail to describe with specificity or reasonable particularity the information requested, and are thus overbroad, unduly burdensome and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. The Shell Defendants further object to the defined terms "IDENTIFY" and "YOU" on the grounds that they deviate from or purport to impose requirements other than or in addition to those required by Local Civil Rule 26.3, and therefore, this Interrogatory is vague and ambiguous, burdensome, overbroad, and seeks information not relevant to the allegations asserted in Plaintiff's Complaint.

The Shell Defendants also object to this Interrogatory on the ground that it is compound in that it contains four separate and distinct requests. The Shell Defendants further object to this Interrogatory to the extent it is duplicative of prior discovery served in this case and other cases in MDL 1358, and therefore, this Interrogatory is burdensome and harassing. Without obligating themselves to do so, the Shell Defendants reserve the right to update their answer pending further investigation.

Subject to and without waiving the foregoing general and specific objections, the Shell Defendants respond as follows: The Shell Defendants have owned the Stockton Terminal,

3515 Navy Drive, Stockton, California 95203, which may have served the RGA during the relevant time period, since February 23, 1940. The Shell Defendants owned the Bakersfield Refinery Terminal, 6451 Rosedale Highway, Bakersfield, CA 93308, which may have served the RGA during the relevant time period. The Bakersfield Refinery Terminal was owned by TRMI (now TMR) from 1989 to 1998, and by Equilon from 1998 to 2004. In addition, the Shell Defendants have had exchange agreements concerning the locations listed below, which may have concerned service to the RGA during the relevant time period.

Kinder Morgan
2947 Navy Drive
Stockton, CA 95206

Shore Terminals
2941 Navy Drive
Stockton, CA 95206

Flying J
2436 Fruitvale Avenue
Bakersfield, CA 93308

Occidental Energy Marketing
28590 Highway 119
Tupman, CA 93276

Kern Oil & Refining Co.
7724 East Panama Lane
Bakersfield, CA 93307

EOTT
9224 Tupman Road
Tupman, CA 93276

Interrogatory No. 8: IDENTIFY each terminal at which YOU have or had a position which served the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of during which YOU maintained a position for each terminal YOU identified.

Response to Interrogatory No. 8: In addition to their General Objections, which are incorporated herein as if set forth in full, the Shell Defendants object to this Interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, the Shell Defendants did not sell gasoline containing MTBE in California until even later, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. The Shell Defendants further object on the grounds that this Interrogatory seeks

information not relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence.

The Shell Defendants further object to the defined terms "IDENTIFY" and "YOU" on the grounds that they deviate from or purport to impose requirements other than or in addition to those required by Local Civil Rule 26.3, and therefore, this Interrogatory is vague and ambiguous, burdensome, overbroad, and seeks information not relevant to the allegations asserted in Plaintiff's complaint.

The Shell Defendants further object to this Interrogatory on the grounds that the undefined phrase "have or had a position" is vague, ambiguous and unintelligible, in that it fails to describe with specificity or reasonable particularity the information requested, and is thus overbroad, unduly burdensome and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. The Shell Defendants also object to this Interrogatory on the ground that it is compound in that it contains two separate and distinct requests. The Shell Defendants further object to this Interrogatory to the extent it is duplicative of prior discovery served in this case and other cases in MDL 1358, and therefore, this Interrogatory is burdensome and harassing. Without obligating themselves to do so, the Shell Defendants reserve the right to update their answer pending further investigations.

Subject to and without waiving the foregoing general and specific objections, the Shell Defendants respond as follows: Because the phrase "have or had a position" is vague, undefined, ambiguous and unintelligible, the Shell Defendants respond with information concerning the terminal that may have served the RGA during the relevant time period and at which the Shell Defendants may have held certain types of leases or other agreements: Kinder Morgan Fresno Terminal, 4149 S. Maple Ave., Fresno, CA 93725.

Shell Defendants' Responses to City of Fresno's First Set of Interrogatories to Defendants
Exhibit B

A LOCATION NO	B VALID FROM DATE	C VALID TO DATE	D LOCATION BRAND NAME	E STREET ADDRESS	F CITY	G STATE	H ZIP CODE	I COUNTY	J PRIMARY BUSINESS OPER DESC	K PRIMARY BUSINESS STATUS DESC
1	116131	1998	1998 TEXACO	2407 NORTH FRUIT NW CORNER OF FRUIT AND CLINTON	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
2	116131	1998	1998 TEXACO	NW CORNER OF FRUIT AND CLINTON	FRESNO	CA	93725	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
3	116131	1998	1998 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93725	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
4	116131	1999	1999 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
5	116131	2000	2000 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
6	116131	2001	2001 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
7	116131	2002	2002 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
8	116131	2003	2003 TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
9	116132	1998	1998 TEXACO	SEC BLACKSTONE AND BARSTOW	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
10	116132	1998	1998 TEXACO	SEC BLACKSTONE AND BARSTOW	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
11	116132	1999	1999 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
12	116132	1999	1999 TEXACO	SEC BLACKSTONE AND BARSTOW	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
13	116132	2000	2000 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
14	116132	2000	2000 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
15	116132	2001	2001 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
16	116132	2002	2002 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
17	116132	2002	2002 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
18	116132	2002	2002 TEXACO	5386 NORTH BLACKSTONE AVENUE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
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1											
47	116484	2000	2000	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
48	116484	2001	2001	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
49	116484	2002	2002	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
50	116484	2002	2002	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
51	116484	2002	2002	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
52	116484	2003	2003	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
53	116484	2003	2003	TEXACO	3085 EAST CENTRAL AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
54	116637	1998	1998	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
55	116637	1999	1999	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
56	116637	1999	1999	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
57	116637	2000	2000	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
58	116637	2000	2000	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
59	116637	2001	2001	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
60	116637	2002	2002	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
61	116637	2002	2002	TEXACO	4984 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
62	116637	2003	2003	SHELL	4994 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
63	116637	2003	2003	TEXACO	4994 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
64	116637	2003	2003	TEXACO	4994 EAST ASHLAN AVENUE	FRESNO	CA	93726	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
65	120584	1998	1998	TEXACO	1280 W BELMONT AVE.	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
66	120584	1998	1998	TEXACO	1280 W BELMONT AVE.	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
67	120584	1999	1999	TEXACO	1280 W BELMONT AVE.	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
68	120584	1999	1999	TEXACO	1280 W BELMONT AVE.	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
69	120584	2000	2000	TEXACO	1280 W BELMONT AVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
70	120584	2000	2000	TEXACO	1280 W BELMONT AVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
71	120584	2001	2001	TEXACO	1280 W BELMONT AVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
72	120584	2001	2001	TEXACO	1280 W BELMONT AVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
73	120584	2001	2001	TEXACO	1280 WEST BELMONT AVENUE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
74	120584	2002	2002	TEXACO	1280 WEST BELMONT AVENUE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
75	120584	2002	2002	TEXACO	1280 WEST BELMONT AVENUE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
76	120584	2003	2003	TEXACO	1280 WEST BELMONT AVENUE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
77	120633	1999	1999	TEXACO	1280 WEST BELMONT AVENUE	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
78	120633	1998	1998	TEXACO	138 N MAPLE	FRESNO	CA	00000	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
79	120633	1998	1998	TEXACO	138 N MAPLE	FRESNO	CA	00000	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
80	120633	1999	1999	TEXACO	138 N MAPLE	FRESNO	CA	00000	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
81	120633	1999	1999	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	ARCHIVED
82	120633	1999	1999	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
83	120633	2000	2000	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	ARCHIVED
84	120633	2001	2001	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	ARCHIVED
85	120633	2002	2002	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	ARCHIVED
86	120633	2003	2003	TEXACO	138 N MAPLE AVENUE	FRESNO	CA	93702	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
87	120700	1998	1998	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
88	120700	1998	1998	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
89	120700	1999	1999	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
90	120700	1999	1999	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
91	120700	2000	2000	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS

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1	92	120700	2000	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	93	120700	2001	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	94	120700	2001	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	95	120700	2002	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	96	120700	2002	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	97	120700	2003	TEXACO	1536 EAST BELMONT	FRESNO	CA	93701	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	98	120700	2003	TEXACO	1536 EAST BELMONT	FRESNO	CA	93701	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	99	120700	2003	TEXACO	1536 EAST BELMONT	FRESNO	CA	93728	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	100	120715	1998	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	101	120715	1998	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	102	120715	1999	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	103	120715	2000	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	104	120715	2001	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	105	120715	2001	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	106	120715	2002	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	107	120715	2002	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	108	120715	2003	TEXACO	1595 FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
	109	120733	1998	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	110	120733	1998	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	111	120733	1998	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	112	120733	1999	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	113	120733	2000	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	114	120733	2001	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	115	120733	2002	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	116	120733	2003	TEXACO	1615 NORTH MAPLE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	117	120752	1998	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	118	120752	1999	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	ARCHIVED
	119	120752	1999	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	120	120752	2000	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	ARCHIVED
	121	120752	2001	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	ARCHIVED
	122	120752	2002	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	ARCHIVED
	123	120752	2003	TEXACO	CORNER CHAMPLAIN & PERRIN	FRESNO	CA	93720	FRESNO	OPEN DEALER	ARCHIVED
	124	120779	1998	TEXACO	1785 W SHAW AVE.	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	125	120779	1998	TEXACO	1785 W SHAW AVE.	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	126	120779	1999	TEXACO	1785 W SHAW AVE.	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	127	120779	1999	TEXACO	1785 W. SHAW AVE.	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	128	120779	2000	TEXACO	1785 W SHAW AVE.	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	129	120779	2000	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	130	120779	2001	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	131	120779	2001	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	132	120779	2001	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	133	120779	2002	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	134	120779	2002	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	135	120779	2003	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	136	120779	2003	TEXACO	1785 W SHAW AVE	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED

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1											
137	120953	1998	1998	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
138	120953	1998	1998	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
139	120953	1999	1999	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
140	120953	2000	2000	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
141	120953	2001	2001	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
142	120953	2001	2001	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
143	120953	2002	2002	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
144	120953	2002	2002	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
145	120953	2003	2003	TEXACO	2330 N FRESNO	FRESNO	CA	93703	FRESNO	LESSEE	CLOSED FOR BUSINESS
146	120981	1999	1999	TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
147	120981	1999	1999	TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
148	120981	2000	2000	TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
149	120981	2000	2000	TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
150	120981	2001	2001	TEXACO	2407 NORTH FRUIT	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
151	120981	2001	2001	TEXACO	2407 NORTH FRUIT AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
152	120981	2002	2002	TEXACO	2407 NORTH FRUIT AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
153	120981	2002	2002	TEXACO	2407 NORTH FRUIT AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
154	120981	2003	2003	TEXACO	2407 NORTH FRUIT AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
155	120981	2003	2003	TEXACO	2407 NORTH FRUIT AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
156	121049	1998	1998	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
157	121049	1998	1998	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
158	121049	1998	1998	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
159	121049	1999	1999	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
160	121049	2000	2000	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
161	121049	2001	2001	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
162	121049	2002	2002	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
163	121049	2003	2003	TEXACO	2874 S. CHERRY	FRESNO	CA	93706	FRESNO	OPEN DEALER	ARCHIVED
164	121077	1998	1998	TEXACO	3808 N BLACKSTONE/DAKOTA	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
165	121077	1998	1998	TEXACO	3808 N BLACKSTONE/DAKOTA	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
166	121077	1999	1999	TEXACO	3808 N BLACKSTONE/DAKOTA	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
167	121077	1999	1999	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
168	121077	2000	2000	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
169	121077	2000	2000	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
170	121077	2001	2001	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
171	121077	2001	2001	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
172	121077	2001	2001	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	SORO	OPEN FOR BUSINESS
173	121077	2002	2002	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
174	121077	2002	2002	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
175	121077	2003	2003	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
176	121077	2003	2003	TEXACO	3808 N BLACKSTONE AVENUE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
177	121081	1998	1998	TEXACO	3089 E. TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
178	121081	1998	1998	TEXACO	3089 E. TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
179	121081	1999	1999	TEXACO	3089 E. TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
180	121081	1999	1999	TEXACO	3089 E. TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
181	121081	2000	2000	TEXACO	3089 E. TULARE ST	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS

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	A LOCATION NO	B VALID FROM DATE	C VALID TO DATE	D LOCATION BRAND NAME	E STREET ADDRESS	F CITY	G STATE	H ZIP CODE	I COUNTY	J PRIMARY BUSINESS OPER DESC	K PRIMARY BUSINESS STATUS DESC
1	182	121081	2000	TEXACO	3089 E TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	183	121081	2000	TEXACO	3089 E TULARE ST	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	184	121081	2001	TEXACO	3089 E TULARE ST	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	185	121081	2001	TEXACO	3089 E TULARE ST	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	186	121081	2001	TEXACO	3089 EAST TULARE ST	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	187	121081	2001	TEXACO	3089 EAST TULARE STREET	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	188	121081	2002	TEXACO	3089 EAST TULARE STREET	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	189	121081	2002	TEXACO	3089 EAST TULARE STREET	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	190	121081	2003	TEXACO	3089 EAST TULARE STREET	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	191	121081	2003	TEXACO	3089 EAST TULARE STREET	FRESNO	CA	93702	FRESNO	CORO	OPEN FOR BUSINESS
	192	121168	1998	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	193	121168	1998	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	194	121168	1999	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	195	121168	1999	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	196	121168	2000	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	197	121168	2000	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	198	121168	2001	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	CLOSED FOR BUSINESS
	199	121168	2001	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	CLOSED FOR BUSINESS
	200	121168	2001	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	OPEN FOR BUSINESS
	201	121168	2002	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	CLOSED FOR BUSINESS
	202	121168	2002	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	CLOSED FOR BUSINESS
	203	121168	2003	TEXACO	3464 E VENTURA	FRESNO	CA	93702	FRESNO	SORO	CLOSED FOR BUSINESS
	204	121204	2001		394 EAST OLIVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	ARCHIVED
	205	121204	2002		394 EAST OLIVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	ARCHIVED
	206	121204	2003		394 EAST OLIVE	FRESNO	CA	93728	FRESNO	OPEN DEALER	ARCHIVED
	207	121221	2001		4025 SOUTH CHESTNUT AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	ARCHIVED
	208	121221	2002		4025 SOUTH CHESTNUT AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	ARCHIVED
	209	121221	2003		4025 SOUTH CHESTNUT AVENUE	FRESNO	CA	93725	FRESNO	OPEN DEALER	ARCHIVED
	210	121237	1998	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	211	121237	1998	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	212	121237	1998		4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	213	121237	1999	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	214	121237	2000	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	215	121237	2001	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93726	FRESNO	OPEN DEALER	ARCHIVED
	216	121237	2002	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	217	121237	2003	TEXACO	4201 E SHIELDS AVE	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	218	121243	1998	TEXACO	4245 N. CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	219	121243	1998		4245 N. CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	220	121243	1999	TEXACO	4245 N CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	221	121243	1999	TEXACO	4245 N CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	222	121243	1999	TEXACO	4245 N. CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	223	121243	2000	TEXACO	4245 N CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	224	121243	2001	TEXACO	4245 N CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	225	121243	2002	TEXACO	4245 N CEDAR	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	226	121243	2002	TEXACO	4245 N CEDAR AVENUE	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED

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	A LOCATION NO	B VALID FROM DATE	C VALID TO DATE	D LOCATION BRAND NAME	E STREET ADDRESS	F CITY	G STATE	H ZIP CODE	I COUNTY	J PRIMARY BUSINESS OPER DESC	K PRIMARY BUSINESS STATUS DESC
1	227	121243	2003	TEXACO	4245 N CEDAR AVENUE	FRESNO	CA	93703	FRESNO	OPEN DEALER	ARCHIVED
	228	121309	1998	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	229	121309	1998	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	230	121309	1999	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	231	121309	1999	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	232	121309	2000	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	233	121309	2000	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	234	121309	2001	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	235	121309	2001	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	236	121309	2001	TEXACO	4805 EAST SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	237	121309	2002	TEXACO	4805 EAST SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	238	121309	2002	TEXACO	4805 EAST SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	239	121309	2003	TEXACO	4805 E SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	240	121309	2003	TEXACO	4805 EAST SHIELDS	FRESNO	CA	93726	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	241	121377	1998	TEXACO	5316 W SHAW HWY 99	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	242	121377	1998	TEXACO	5316 W SHAW HWY 99	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	243	121377	1999	TEXACO	5316 W SHAW	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	244	121377	1999	TEXACO	5316 W SHAW HWY 99	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	245	121377	1999	TEXACO	5316 W SHAW HWY 99	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	246	121377	2000	TEXACO	5316 W SHAW	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	247	121377	2000	TEXACO	5316 W SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	248	121377	2000	TEXACO	5316 W SHAW AVENUE	FRESNO	CA	93705	SORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	249	121377	2001	TEXACO	5316 W SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	250	121377	2001	TEXACO	5316 W SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	251	121377	2001	TEXACO	5316 WEST SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	252	121377	2002	TEXACO	5316 WEST SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	253	121377	2002	TEXACO	5316 WEST SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	254	121377	2003	TEXACO	5316 W SHAW AVENUE	FRESNO	CA	93722	FRESNO	CORO	OPEN FOR BUSINESS
	255	121377	2003	TEXACO	5316 WEST SHAW AVENUE	FRESNO	CA	93705	CORO	OPEN FOR BUSINESS	OPEN FOR BUSINESS
	256	121402	2001	TEXACO	1275 WEST SHAW	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	257	121402	2002	TEXACO	1275 WEST SHAW	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	258	121402	2003	TEXACO	1275 WEST SHAW	FRESNO	CA	93711	FRESNO	OPEN DEALER	ARCHIVED
	259	121418	1998	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	260	121418	1998	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	261	121418	1999	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	262	121418	1999	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	263	121418	2000	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	264	121418	2000	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	265	121418	2000	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	SORO	OPEN FOR BUSINESS
	266	121418	2001	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	267	121418	2001	TEXACO	5756 N FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	268	121418	2001	TEXACO	5756 NORTH FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	269	121418	2002	TEXACO	5756 NORTH FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	270	121418	2002	TEXACO	5756 NORTH FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
	271	121418	2003	TEXACO	5756 NORTH FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS

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1	LOCATION NO	VALID FROM DATE	VALID TO DATE	LOCATION BRAND NAME	STREET ADDRESS	CITY	STATE	ZIP CODE	COUNTY	PRIMARY BUSINESS OPER DESC	PRIMARY BUSINESS STATUS DESC
272	121418	2003	2003	TEXACO	5756 NORTH FIRST STREET	FRESNO	CA	93706	FRESNO	CORO	OPEN FOR BUSINESS
273	121419	1998	1998	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
274	121419	1998	1998	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
275	121419	1999	1999	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
276	121419	1999	1999	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
277	121419	2000	2000	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
278	121419	2000	2000	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
279	121419	2001	2001	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	CLOSED FOR BUSINESS
280	121419	2001	2001	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	CLOSED FOR BUSINESS
281	121419	2001	2001	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
282	121419	2002	2002	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	CLOSED FOR BUSINESS
283	121419	2002	2002	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	CLOSED FOR BUSINESS
284	121419	2003	2003	TEXACO	5783 N PALM AVE.	FRESNO	CA	93704	FRESNO	SORO	CLOSED FOR BUSINESS
285	121488	1998	1998	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
286	121488	1998	1998	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
287	121488	1999	1999	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
288	121488	1999	1999	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
289	121488	2000	2000	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
290	121488	2000	2000	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
291	121488	2001	2001	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
292	121488	2001	2001	TEXACO	6735 N GOLDEN STATE BLVD	FRESNO	CA	93734	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
293	121488	2001	2001	TEXACO	6735 NORTH GOLDEN STATE BLVD	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
294	121488	2002	2002	TEXACO	6735 NORTH GOLDEN STATE BLVD	FRESNO	CA	93722	FRESNO	CORO	OPEN FOR BUSINESS
295	121488	2002	2002	TEXACO	6735 NORTH GOLDEN STATE BLVD	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
296	121488	2003	2003	TEXACO	6735 NORTH GOLDEN STATE BLVD	FRESNO	CA	93722	FRESNO	CORO	OPEN FOR BUSINESS
297	121488	2003	2003	TEXACO	6735 NORTH GOLDEN STATE BLVD	FRESNO	CA	93722	FRESNO	CORO	OPEN FOR BUSINESS
298	121525	1998	1998	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
299	121525	1998	1998	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
300	121525	1999	1999	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
301	121525	1999	1999	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
302	121525	2000	2000	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
303	121525	2000	2000	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
304	121525	2001	2001	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
305	121525	2001	2001	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
306	121525	2002	2002	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
307	121525	2003	2003	TEXACO	7216 NORTH BLACKSTONE	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
308	121746	1998	1998	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
309	121746	1998	1998	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
310	121746	1999	1999	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
311	121746	1999	1999	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
312	121746	2000	2000	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
313	121746	2000	2000	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
314	121746	2000	2000	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	SORO	OPEN FOR BUSINESS
315	121746	2001	2001	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
316	121746	2001	2001	TEXACO	1016 W SHAW AVE.	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS

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1	317121746	2001	2001	TEXACO	1016 WEST SHAW AVENUE	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
	318121746	2002	2002	TEXACO	1016 WEST SHAW AVENUE	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
	319121746	2002	2002	TEXACO	1016 WEST SHAW AVENUE	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
	320121746	2003	2003	TEXACO	1016 WEST SHAW AVENUE	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
	321121746	2003	2003	TEXACO	1016 WEST SHAW AVENUE	FRESNO	CA	93704	FRESNO	CORO	OPEN FOR BUSINESS
	322121776	1998	1998	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	323121776	1998	1998	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	324121776	1999	1999	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	325121776	1999	1999	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	326121776	2000	2000	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	327121776	2000	2000	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	328121776	2001	2001	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	329121776	2001	2001	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	330121776	2002	2002	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	331121776	2002	2002	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	332121776	2003	2003	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	333121776	2003	2003	TEXACO	2619 SOUTH EAST AVENUE	FRESNO	CA	93706	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	334121793	1998	1998	TEXACO	4090 S. CHESTNUT	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	335121793	1998	1998	TEXACO	4090 S. CHESTNUT	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	336121793	1998	1998	TEXACO	4090 S. CHESTNUT	FRESNO	CA	93727	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
	337121793	1999	1999	TEXACO	4090 S. CHESTNUT	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	338121793	1999	1999	TEXACO	4090 SOUTH CHESTNUT AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	339121793	2000	2000	TEXACO	4090 SOUTH CHESTNUT AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	340121793	2001	2001	TEXACO	4090 SOUTH CHESTNUT AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	341121793	2002	2002	TEXACO	4090 SOUTH CHESTNUT AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	342121793	2003	2003	TEXACO	4090 SOUTH CHESTNUT AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	343121794	1998	1998	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	344121794	1998	1998	TEXACO	4149 N CLOVIS AVE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	345121794	1998	1998	TEXACO	4149 N CLOVIS AVE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	346121794	1998	1998	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	347121794	1999	1999	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	348121794	1999	1999	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	349121794	2000	2000	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	350121794	2001	2001	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	351121794	2002	2002	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	352121794	2003	2003	TEXACO	4149 NORTH CLOVIS AVENUE	FRESNO	CA	93727	FRESNO	OPEN DEALER	ARCHIVED
	353121853	1998	1998	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	354121853	1998	1998	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	355121853	1999	1999	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	356121853	2000	2000	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	357121853	2001	2001	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	358121853	2002	2002	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	359121853	2003	2003	TEXACO	1410 W VENTURA	FRESNO	CA	93706	FRESNO	LESSEE	ARCHIVED
	360124005	1998	1998	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	361124005	1998	1998	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS

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1	124005	1998	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	FRESNO	BRANDED WHOLESALE	ARCHIVED
362	124005	1999	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
363	124005	1999	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
364	124005	1999	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
365	124005	1999	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
366	124005	2000	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
367	124005	2001	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
368	124005	2002	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
369	124005	2003	TEXACO	1506 VAN NESS AVE	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
370	124198	1998	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
371	124198	1998	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
372	124198	1998	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
373	124198	1999	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
374	124198	1999	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
375	124198	2000	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
376	124198	2000	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
377	124198	2001	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
378	124198	2001	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
379	124198	2001	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
380	124198	2002	TEXACO	4205 EAST OLIVE AVE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
381	124198	2002	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	ARCHIVED
382	124198	2002	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
383	124198	2002	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
384	124198	2002	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
385	124198	2003	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
386	124198	2003	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
387	124198	2003	TEXACO	4205 EAST OLIVE AVENUE	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
388	124200	1998	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
389	124200	1998	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
390	124200	1998	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
391	124200	1999	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
392	124200	1999	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	ARCHIVED
393	124200	2000	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
394	124200	2000	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
395	124200	2001	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	ARCHIVED
396	124200	2002	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
397	124200	2003	TEXACO	3110 EAST BELMONT	FRESNO	CA	93702	FRESNO	BRANDED WHOLESALE	ARCHIVED
398	124219	1998	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
399	124219	1998	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
400	124219	1998	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
401	124219	1999	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
402	124219	1999	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
403	124219	2000	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
404	124219	2000	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
405	124219	2001	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
406	124219	2002	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED

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1	407	124219	2003	TEXACO	2111 VENTURA	FRESNO	CA	93721	FRESNO	BRANDED WHOLESALE	ARCHIVED
	408	124227	1998	TEXACO	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	409	124227	1998		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	410	124227	1998		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	
	411	124227	1999	TEXACO	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	412	124227	1999		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	
	413	124227	2000	TEXACO	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	414	124227	2000		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	415	124227	2001	TEXACO	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	416	124227	2001		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	417	124227	2002	SHELL	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	418	124227	2002	TEXACO	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	419	124227	2002		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	420	124227	2003	SHELL	10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	421	124227	2003		10091 NORTH MAPLE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	422	124236	1998	TEXACO	7995 NORTH CEDAR	FRESNO	CA	93720	TULARE	BRANDED WHOLESALE	OPEN FOR BUSINESS
	423	124236	1998		7995 NORTH CEDAR	FRESNO	CA	93720	TULARE	BRANDED WHOLESALE	OPEN FOR BUSINESS
	424	124236	1998		7995 NORTH CEDAR	FRESNO	CA	93720	TULARE	BRANDED WHOLESALE	
	425	124236	1999	TEXACO	7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	426	124236	1999		7995 NORTH CEDAR	FRESNO	CA	93720	TULARE	BRANDED WHOLESALE	OPEN FOR BUSINESS
	427	124236	2000	TEXACO	7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	428	124236	2000		7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	429	124236	2001	TEXACO	7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	430	124236	2001		7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	431	124236	2002	TEXACO	7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	432	124236	2002		7995 NORTH CEDAR	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	433	124236	2002	TEXACO	7995 NORTH CEDAR AVE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	434	124236	2003	SHELL	7995 NORTH CEDAR AVE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	435	124236	2003	TEXACO	7995 NORTH CEDAR AVE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	436	124236	2003		7995 NORTH CEDAR AVE	FRESNO	CA	93720	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	437	128605	2001		N BLACKSTONE AVE AT W BARSTOW	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
	438	128605	2002		AVE	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
	439	128605	2003		N BLACKSTONE AVE AT W BARSTOW	FRESNO	CA	93710	FRESNO	OPEN DEALER	ARCHIVED
	440	128606	2001		AVE	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
	441	128606	2002		2407 N FRUIT AVENUE	FRESNO	CA	93705	FRESNO	OPEN DEALER	ARCHIVED
	442	135299	1998	SHELL	5325 W SHAW/HWY 99	FRESNO	CA	93705	FRESNO	LESSEE	OPEN FOR BUSINESS
	443	135299	1999		5325 W SHAW	FRESNO	CA	93705	FRESNO	LESSEE	CLOSED FOR BUSINESS
	444	135299	1999	SHELL	5325 W SHAW/HWY 99	FRESNO	CA	93705	FRESNO	LESSEE	OPEN FOR BUSINESS
	445	135299	2000	SHELL	5325 W SHAW	FRESNO	CA	93705	FRESNO	LESSEE	CLOSED FOR BUSINESS
	446	135299	2000		5325 W SHAW	FRESNO	CA	93705	FRESNO	LESSEE	OPEN FOR BUSINESS
	447	135299	2000	SHELL	5325 W SHAW	FRESNO	CA	93705	FRESNO	LESSEE	OPEN FOR BUSINESS
	448	135299	2001	SHELL	5325 W SHAW	FRESNO	CA	93705	FRESNO	LESSEE	OPEN FOR BUSINESS

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1										
449	135299	2001	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
450	135299	2001	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
451	135299	2002	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
452	135299	2002	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
453	135299	2002	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
454	135299	2003	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
455	135299	2003	SHELL	5325 W SHAW	FRESNO	CA	93722	FRESNO	LESSEE	CLOSED FOR BUSINESS
456	135300	1998	SHELL	1021 E SHAW AVE/FIRST	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
457	135300	1999	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
458	135300	1999	SHELL	1021 E SHAW AVE/FIRST	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
459	135300	2000	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
460	135300	2000	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
461	135300	2001	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
462	135300	2001	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
463	135300	2002	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
464	135300	2002	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
465	135300	2003	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
466	135300	2003	SHELL	1021 E SHAW AVE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
467	135301	1998	SHELL	2020 W SHAW/WEST	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
468	135301	1999	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
469	135301	1999	SHELL	2020 W SHAW/WEST	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
470	135301	2000	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
471	135301	2000	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
472	135301	2001	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	OPEN FOR BUSINESS
473	135301	2001	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	LESSEE	OPEN FOR BUSINESS
474	135301	2002	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	CLOSED FOR BUSINESS
475	135301	2002	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	CLOSED FOR BUSINESS
476	135301	2002	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	OPEN FOR BUSINESS
477	135301	2002	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	OPEN FOR BUSINESS
478	135301	2003	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	CLOSED FOR BUSINESS
479	135301	2003	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	CLOSED FOR BUSINESS
480	135301	2003	SHELL	2020 W SHAW	FRESNO	CA	93711	FRESNO	CORO	CLOSED FOR BUSINESS
481	135302	1998	SHELL	1778 E SHAW AVE/CEDAR	FRESNO	CA	93710	FRESNO	CORO	OPEN FOR BUSINESS
482	135302	1999	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
483	135302	1999	SHELL	1778 E SHAW AVE/CEDAR	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
484	135302	1999	SHELL	1778 E SHAW AVE/CEDAR	FRESNO	CA	93710	FRESNO	CORO	OPEN FOR BUSINESS
485	135302	2000	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
486	135302	2001	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
487	135302	2002	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
488	135302	2002	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
489	135302	2002	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
490	135302	2003	SHELL	1778 E SHAW AVE	FRESNO	CA	93710	FRESNO	CORO	CLOSED FOR BUSINESS
491	135303	1998	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
492	135303	1999	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
493	135303	2000	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS

Shell Defendants' Responses to City of Fresno's First Set of Interrogatories to Defendants
Exhibit B

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1	494	135303	2000	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	495	135303	2001	SHELL	1212 FRESNO	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	496	135303	2001	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	497	135303	2001	SHELL	1212 FRESNO/C	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	498	135303	2002	SHELL	1212 FRESNO	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	499	135303	2002	SHELL	1212 FRESNO	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	500	135303	2003	SHELL	1212 FRESNO	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	501	135303	2003	SHELL	1212 FRESNO	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	502	135304	1998	SHELL	3109 E SHIELDS/FIRST	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	503	135304	1999	SHELL	3109 E SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	504	135304	1999	SHELL	3109 E SHIELDS/FIRST	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	505	135304	2000	SHELL	3109 E SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	506	135304	2000	SHELL	3109 E SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	507	135304	2001	SHELL	3109 E SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	508	135304	2001	SHELL	3109 E SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	509	135304	2001	SHELL	3109 EAST SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	510	135304	2002	SHELL	3109 EAST SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	511	135304	2002	SHELL	3109 EAST SHIELDS	FRESNO	CA	93721	FRESNO	LESSEE	OPEN FOR BUSINESS
	512	135304	2002	SHELL	3109 EAST SHIELDS	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	513	135304	2003	SHELL	3109 EAST SHIELDS	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	514	135304	2003	SHELL	3109 EAST SHIELDS	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	515	135305	1998	SHELL	5605 E KINGS CYN/CLOVIS	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	516	135305	1999	SHELL	5605 E KINGS CYN	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	517	135305	1999	SHELL	5605 E KINGS CYN/CLOVIS	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	518	135305	2000	SHELL	5605 E KINGS CYN	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	519	135305	2000	SHELL	5605 E KINGS CYN	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	520	135305	2001	SHELL	5605 E KINGS CANYON	FRESNO	CA	63727	FRESNO	LESSEE	OPEN FOR BUSINESS
	521	135305	2001	SHELL	5605 E KINGS CYN	FRESNO	CA	63727	FRESNO	LESSEE	OPEN FOR BUSINESS
	522	135305	2001	SHELL	5605 E KINGS CYN	FRESNO	CA	63727	FRESNO	LESSEE	OPEN FOR BUSINESS
	523	135305	2001	SHELL	5605 E KINGS CANYON	FRESNO	CA	93702	FRESNO	LESSEE	OPEN FOR BUSINESS
	524	135305	2002	SHELL	5605 E KINGS CANYON	FRESNO	CA	63727	FRESNO	LESSEE	OPEN FOR BUSINESS
	525	135305	2002	SHELL	5605 E KINGS CANYON	FRESNO	CA	63727	FRESNO	LESSEE	OPEN FOR BUSINESS
	526	135305	2002	SHELL	5605 E KINGS CANYON	FRESNO	CA	93727	FRESNO	LESSEE	OPEN FOR BUSINESS
	527	135305	2003	SHELL	5605 E KINGS CANYON	FRESNO	CA	93727	FRESNO	LESSEE	OPEN FOR BUSINESS
	528	135306	1998	SHELL	2595 S EAST AVE/JENSEN	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	529	135306	1999	SHELL	2595 S EAST AVE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	530	135306	1999	SHELL	2595 S EAST AVE/JENSEN	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	531	135306	2000	SHELL	2595 S EAST AVE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	532	135306	2000	SHELL	2595 S EAST AVE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	533	135306	2001	SHELL	2595 S EAST AVE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	534	135306	2001	SHELL	2595 S EAST AVE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	535	135306	2001	SHELL	2595 S EAST AVENUE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	536	135306	2002	SHELL	2595 S EAST AVENUE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	537	135306	2002	SHELL	2595 S EAST AVENUE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	538	135306	2003	SHELL	2595 S EAST AVENUE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS

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1	539	135306	2003	SHELL	2595 S EAST AVENUE	FRESNO	CA	93706	FRESNO	LESSEE	OPEN FOR BUSINESS
	540	135307	1998	SHELL	1014 E BULLARD/FIRST	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	541	135307	1999	SHELL	1014 E BULLARD	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	542	135307	1999	SHELL	1014 E BULLARD/FIRST	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	543	135307	2000	SHELL	1014 E BULLARD	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	544	135307	2000	SHELL	1014 E BULLARD	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	545	135307	2001	SHELL	1014 E BULLARD	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	546	135307	2001	SHELL	1014 E BULLARD	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	547	135307	2001	SHELL	1014 EAST BULLARD AVENUE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	548	135307	2002	SHELL	1014 EAST BULLARD AVENUE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	549	135307	2002	SHELL	1014 EAST BULLARD AVENUE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	550	135307	2003	SHELL	1014 EAST BULLARD AVENUE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	551	135307	2003	SHELL	1014 EAST BULLARD AVENUE	FRESNO	CA	93710	FRESNO	LESSEE	OPEN FOR BUSINESS
	552	135308	1998	SHELL	4206 N BLACKSTONE/ASHLAND	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	553	135308	1999	SHELL	4206 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	554	135308	1999	SHELL	4206 N BLACKSTONE/ASHLAND	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	555	135308	1999	SHELL	4206 N BLACKSTONE/ASHLAND	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	556	135308	2000	SHELL	4206 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	557	135308	2001	SHELL	4206 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	558	135308	2002	SHELL	4206 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	559	135308	2002	SHELL	4206 N BLACKSTONE AVE	FRESNO	CA	93726	FRESNO	LESSEE	ARCHIVED
	560	135308	2002	SHELL	4206 N BLACKSTONE AVE	FRESNO	CA	93726	FRESNO	LESSEE	CLOSED FOR BUSINESS
	561	135308	2003	SHELL	4206 N BLACKSTONE AVE	FRESNO	CA	93726	FRESNO	LESSEE	ARCHIVED
	562	135309	1998	SHELL	5405 N BLACKSTONE/BARSTOWN	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	563	135309	1999	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	564	135309	1999	SHELL	5405 N BLACKSTONE/BARSTOWN	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	565	135309	2000	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	566	135309	2000	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	567	135309	2001	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	568	135309	2001	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	569	135309	2002	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	570	135309	2002	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	571	135309	2003	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	572	135309	2003	SHELL	5405 N BLACKSTONE	FRESNO	CA	93726	FRESNO	LESSEE	OPEN FOR BUSINESS
	573	135310	1998	SHELL	4819 N BLACKSTONE/SNTA ANA	FRESNO	CA	93704	FRESNO	LESSEE	OPEN FOR BUSINESS
	574	135310	1989	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	OPEN FOR BUSINESS
	575	135310	1989	SHELL	4819 N BLACKSTONE/SNTA ANA	FRESNO	CA	93704	FRESNO	LESSEE	OPEN FOR BUSINESS
	576	135310	2000	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	577	135310	2000	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	578	135310	2000	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	OPEN FOR BUSINESS
	579	135310	2001	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	580	135310	2002	SHELL	4819 N BLACKSTONE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	581	135310	2002	SHELL	4819 N BLACKSTONE AVENUE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	582	135310	2003	SHELL	4819 N BLACKSTONE AVENUE	FRESNO	CA	93704	FRESNO	LESSEE	CLOSED FOR BUSINESS
	583	135312	1998	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPENER DEALER	OPEN FOR BUSINESS

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1										
584	135312	1999	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
585	135312	2000	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
586	135312	2000	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
587	135312	2001	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
588	135312	2002	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
589	135312	2002	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
590	135312	2003	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
591	135312	2003	SHELL	6639 PARKWAY	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
592	135313	1998	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
593	135313	1999	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
594	135313	2000	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
595	135313	2000	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
596	135313	2001	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
597	135313	2001	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
598	135313	2002	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
599	135313	2002	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
600	135313	2003	SHELL	2990 E CENTRAL AVENUE	FRESNO	CA	93258	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
601	145781	1999	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
602	145781	2000	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	ARCHIVED
603	145781	2000	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
604	145781	2001	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	ARCHIVED
605	145781	2002	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	ARCHIVED
606	145781	2003	SHELL	2261 W SHAW	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	ARCHIVED
607	146311	1999	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
608	146311	2000	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
609	146311	2000	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
610	146311	2001	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
611	146311	2002	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	ARCHIVED
612	146311	2002	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
613	146311	2002	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	ARCHIVED
614	146311	2003	SHELL	2121 SO 3RD ST	FRESNO	CA	93725	FRESNO	BRANDED WHOLESALE	ARCHIVED
615	166979	2001	TEXACO	3403 WASHLAN AVENUE	FRESNO	CA	93722	FRESNO	OPEN DEALER	CLOSED FOR BUSINESS
616	166979	2001	TEXACO	3403 WASHLAN AVENUE	FRESNO	CA	93722	FRESNO	OPEN DEALER	OPEN FOR BUSINESS
617	166979	2002	TEXACO	3403 WASHLAN AVENUE	FRESNO	CA	93722	FRESNO	OPEN DEALER	CLOSED FOR BUSINESS
618	166979	2002	TEXACO	3403 WASHLAN AVENUE	FRESNO	CA	93722	FRESNO	OPEN DEALER	CLOSED FOR BUSINESS
619	166979	2003	TEXACO	3403 WASHLAN AVENUE	FRESNO	CA	93722	FRESNO	OPEN DEALER	CLOSED FOR BUSINESS
620	167474	2001	TEXACO	HWY 99 & NORTH AVENUE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
621	167474	2001	TEXACO	HWY 99 & NORTH AVENUE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
622	167474	2002	TEXACO	HWY 99 & NORTH AVENUE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
623	167474	2003	TEXACO	HWY 99 & NORTH AVENUE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	CLOSED FOR BUSINESS
624	167474	2003	TEXACO	HWY 99 & NORTH AVENUE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
625	167475	2001	TEXACO	CEDAR & OLIVE STREET	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
626	167475	2001	TEXACO	CEDAR & OLIVE STREET	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
627	167475	2002	TEXACO	CEDAR & OLIVE STREET	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
628	167475	2002	TEXACO	CEDAR & OLIVE STREET	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS

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1	629	167475	2003	SHELL	4204 EAST OLIVE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	630	167475	2003	TEXACO	4204 EAST OLIVE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	631	167475	2003	TEXACO	CEDAR & OLIVE STREET	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	632	167693	2001	TEXACO	2330 NORTH FRESNO STREET	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	633	167693	2002	TEXACO	2330 NORTH FRESNO STREET	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	634	167693	2002	TEXACO	2330 NORTH FRESNO STREET	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	635	167693	2003	TEXACO	2330 NORTH FRESNO STREET	FRESNO	CA	93703	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	636	169208	2003	SHELL	6745 N WEST AVE	FRESNO	CA	93711	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS
	637	169303	2003	SHELL	2588 S MAPLE	FRESNO	CA	93706	FRESNO	BRANDED WHOLESALE	OPEN FOR BUSINESS

EXHIBIT 30

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3

4 In re: Methyl Tertiary) Master File No.
5 Butyl Ether ("MTBE")) 1:00-1898
6 Products Liability Litigation)
7) The Honorable Shira A.
8) Scheindlin
9)
10)
11)
12)
13 This Document Relates To:)
14)
15 City of Fresno v. Chevron)
16 U.S.A., Inc., et al, Case)
17 No. 04 Civ. 4973)
18 (SAS))
19)
20

21 DEPOSITION OF JOEL HOHENSHELT
22

23 Wednesday, February 9, 2011, 9:24 a.m.
24

25 Deposition Officer:
26 Patricia Coward, CSR No. 5142
27

28 Taken in the offices of:
29

30 The Radisson Hotel
31 2233 Ventura Street
32 Fresno, California
33

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Page 32

1 think what you described as the FEA handed you off to
2 Chevron; during that time, it sounded like you were,
3 you said resisting that with an injunction of some
4 kind.

5 A. Yeah.

6 Q. What was the station branded, if anything, at
7 that time?

8 A. At that time, it was Gulf.

9 Q. And after Gulf, was there another brand that
10 your station used?

11 A. We branded our own station as Triangle.

12 Q. Not Red Triangle? Just Triangle?

13 A. Well, it was Red Triangle. We had a -- our sign
14 had a Red Triangle in it.

15 Q. What year did you start using that as your
16 brand?

17 A. I don't know. I really don't know. I can't
18 remember.

19 Q. Subsequent to Red Triangle, have you gone to any
20 other brand being used?

21 A. Well, that -- again, Shehadey took it over under
22 the Red Triangle brand, and, excuse me, and as far as I
23 know, one of their main suppliers is Valero.

24 Q. When it switched from being branded Gulf to Red
25 Triangle, would that have been in the 1970's?

1 decades ago? Or can you tell us what time frame you
2 were referring to?

3 A. Well, that still goes on today.

4 Q. Well, how about, let's say --

5 A. But I'm not buying the gasoline, of course. But
6 I know that the Shehadeys buy Valero gas, and there's
7 no Valeros -- refinery here, so somebody is exchanging
8 with Valero.

9 Q. Well, talking about when you ran Red Triangle,
10 let's say starting --

11 A. Well, most of the time, I didn't run it. Glen
12 Blue did.

13 Q. All right.

14 A. Okay.

15 Q. And Glen Blue was your brother-in-law?

16 A. Correct. I was an employee there.

17 Q. But you were a major shareholder?

18 A. No, not at that time, I wasn't.

19 Q. Oh, your father was still?

20 A. My dad was. My dad was the major stockholder.

21 Q. Let's say starting in the 1990 time frame, what
22 was your job title then, or would it help to go to
23 your --

24 A. I wasn't even there.

25 Q. Maybe it would help to go to your biography?

1 wasn't there.

2 Q. Well, for example, when you mentioned that you
3 and your sister became the two shareholders when your
4 father passed away, did you then review any documents
5 indicating where Red Triangle was acquiring its
6 gasoline supply from?

7 A. No.

8 MR. PARSEGHIAN: Objection, asked and answered.

9 THE WITNESS: No.

10 MR. EICKMEYER: Go ahead.

11 A. No.

12 Q. Did you ever have any discussions with your
13 sister as to whether she had entered into any supply
14 agreements?

15 A. No.

16 Q. Since Mr. Shehadey took over, have you had
17 any -- I think you said you understood one of his
18 suppliers was Valero?

19 A. That's correct. I assumed they have a supply
20 agreement with Valero, yes.

21 Q. Are you aware of any other refiners of gasoline
22 being provided to the operation since Mr. Shehadey took
23 over?

24 A. No. I have no idea other than Valero.

25 Q. Did you ever see any of the delivery trucks

EXHIBIT 31

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-oo-

In re: Methyl Tertiary Butyl
Ether ("MTBE") Products
Liability Litigation

Master File No.
1:00-1898

This Document Relates To:

Case No.
MDL 1358(SAS)

City of Fresno
v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

COPY

DEPOSITION OF JATINDER PAUL DHILLON

August 11, 2011 at 9:00 (9:05) a.m.

Before: ERIC L. JOHNSON
RPR, CSR #9771

Taken at:
Fresno, California

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Deposition of Jatinder Paul Dhillon / August 11, 2011

1 A. Right.

2 Q. So was that a container that was used just for
3 the purpose of that cat litter product?

4 A. Yes. Yes.

5 Q. Do you have a recollection as to what company
6 was used to pick that up at --

7 A. I don't --

8 Q. -- 26 -- one second here.

9 A. Sorry.

10 Q. -- at 2619 South East Avenue?

11 A. No.

12 Q. Okay. I am going to try to just make sure we
13 are clear what station we are talking about --

14 A. Right.

15 Q. -- since I think you have had five. If you are
16 ever not clear, please let me know. I mean, we are --
17 we are mostly going to be talking about the East Avenue
18 station, but if you are ever not clear, please indicate.

19 A. Yes.

20 Q. In fact, why don't we -- why don't I just

21 say if we refer to the station, we are referring to

22 2619 South East Avenue. Is that fair?

23 A. That's fair.

24 Q. All right. Now, you mentioned a moment ago, I
25 think you asked about a small spill versus a large

Deposition of Jatinder Paul Dhillon / August 11, 2011

1 A. No, I don't remember.

2 Q. When you bought the station was it branded
3 Texaco at that point?

4 A. Yes.

5 Q. Did the branding on the station ever change
6 over the years?

7 A. Yes.

8 Q. What did it first change to?

9 A. Because Shell and Texaco is bought by Shell, so
10 it was Shell, and it has been Shell after that.

11 Q. Do you recall approximately what year it
12 changed to Shell?

13 A. I don't remember.

14 Q. Do you recall if that was in the '90s or 2000s?

15 A. I -- I am not sure. I don't know.

16 Q. We may see some --

17 A. Documents I can tell you about? I don't
18 remember.

19 Q. So was the station branded Shell at the time
20 you stopped operating it in 2009?

21 A. Yes.

22 Q. During the time the station was branded Texaco,
23 where were you obtaining gas deliveries from?

24 A. In the beginning we used to buy from Texaco.

25 Q. So when you first took over the station you

EXHIBIT 32

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-oo-

In re: Methyl Tertiary Butyl
Ether ("MTBE")
Products Liability Litigation

Master File No.
1:00-1898 MDL 1358
(SAS)

CITY OF FRESNO,
Plaintiff,
vs.

CASE NO. 04CIV4973
(SAS)

CHEVRON U.S.A., INC., et al.,
Defendants.

COPY

VIDEOTAPED DEPOSITION OF
BRYAN LEONARD MOE

August 17, 2011
1:00 p.m.

140 East Shaw Avenue
Fresno, California

Cheryl L. Laboa, CSR No. 10039

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Deposition of Bryan Leonard Moe / August 17, 2011

1 A. No, that is not correct.

2 Q. How did you obtain the station at 1212 Fresno
3 Street?

4 A. I purchased the station from another Shell
5 dealer who purchased it from Ron Stephens named Amir --
6 and I don't remember his last name.

7 Q. During the time -- well, when you purchased
8 this station at 1212 Fresno Street, what did you
9 actually purchase?

10 A. The right to sell gasoline through Shell Oil.
11 There wasn't much inventory, but just really the right
12 to purchase and sell Shell products.

13 Q. You did not purchase the real property
14 underlying the station; is that correct?

15 A. That is correct.

16 Q. You did not purchase the buildings or any of
17 the buildings that were on the property; is that
18 correct?

19 A. Yes, that is correct.

20 Q. And you didn't purchase the underground
21 storage tanks or underground piping; is that right?

22 A. That is correct.

23 Q. Did you understand during the time that you
24 were operating the gas station at 1212 Fresno Street,
25 1994 to 1998 that it was Shell Oil Company that owned

Deposition of Bryan Leonard Moe / August 17, 2011

1 the real property and the building and all of the
2 underground tanks and piping?

3 A. Yes, that is correct.

4 Q. When you became a Shell dealer at 1212 Fresno
5 Street, had you had experience in the gasoline business
6 before?

7 A. Yes, I have.

8 Q. Let's step back for a moment and just get some
9 basic background into our record. It's possible that
10 some day in the future a jury could be watching the
11 video of the deposition today, so let's give them just
12 a little bit of basic background so they know a little
13 bit about you. Could you tell me where and when you
14 were born?

15 A. I was born in Seattle, Washington, October
16 30th, 1950. Allegedly. I was too young to remember.

17 Q. That's what you've been told by others?

18 A. That's what I've been told by my parents, yes.

19 Q. Did you grow up in Seattle?

20 A. No. Lived there for six months and moved to
21 California. With my family, of course.

22 Q. Did you move to the Fresno area at that time?

23 A. No. Moved to Chico, California and then to
24 Lindsay, California, and then lived in Visalia,
25 California. I only lived in Fresno, California for a

Deposition of Bryan Leonard Moe / August 17, 2011

1 while while I was attending the university, Fresno
2 State University.

3 Q. What years was that when you were at Fresno
4 State?

5 A. Well, I was at Fresno State 1979, 1980. And
6 then I went back to college at Fresno State, but I
7 lived in Visalia and commuted. And I did that from
8 1999 to 2006 and obtained an undergraduate degree and a
9 graduate degree.

10 Q. When did you earn the undergraduate degree
11 from Fresno State?

12 A. May of 2003.

13 Q. What was that degree -- what was your degree
14 in?

15 A. Bachelor of Science in business with an
16 emphasis in management.

17 Q. What was the Masters degree that you earned
18 from Fresno State?

19 A. A Masters in business administration in 2006.

20 Q. Tell me more about your prior experience in
21 the gasoline business before you became the Shell
22 dealer at 1212 Fresno Street.

23 A. From 1985 to 1994 I worked for a gentleman who
24 owned Shell gas stations in Visalia, Tulare,
25 Bakersfield and Kettleman City. His name was Cleo

Deposition of Bryan Leonard Moe / August 17, 2011

1 another underground storage tank permit application
2 with Form A at the top and then three Form B's
3 following, one for each of the tanks. It has the
4 identifying number in the lower right-hand corner,
5 FCDEH-Fresno-037341, 037344 and in the lower right-hand
6 corner, the month, day and year on this permit
7 application is October 4, 1996. So about two years
8 after the one that we just looked at. You can see
9 reading down the left-hand side of the first page that
10 this is still showing the station as Brian Moe's Shell
11 at 1212 Fresno. Do you see that?

12 A. Yes, yes, I do.

13 Q. And it still lists you as the primary
14 emergency contact person and then to the right of your
15 name then it says Kevin Butler as the secondary
16 emergency contact person. Was Kevin Butler at some
17 time a manager of the station?

18 A. Yes, he and Herb both were the manager.

19 Q. Down at the lower left-hand corner, it says
20 owner's name, printed and signed and it appears to say
21 Jeff John Byram, B-Y-R-A-M, and owner's title given as
22 engineer. Does that name mean anything to you at all?

23 A. No, sir, it doesn't. But I would like to note
24 one thing.

25 Q. Yes.

Deposition of Bryan Leonard Moe / August 17, 2011

1

REPORTER'S CERTIFICATION

2

3 I, CHERYL L. LABOA, Certified Shorthand
4 Reporter in and for the State of California, do hereby
5 certify:

6

7 That the foregoing witness was by me duly
8 sworn; that the deposition was then taken before me at
9 the time and place herein set forth; that the testimony
10 and proceedings were reported stenographically by me
11 and later transcribed into typewritten form under my
12 direction; that the foregoing is a true record of the
13 testimony and proceedings taken at that time.

14

15 IN WITNESS WHEREOF, I have subscribed my name
16 this September 25, 2011.

17

18

19

20

21

Cheryl L. Laboa
Cheryl L. Laboa, CSR No. 10039

22

23

24

25

EXHIBIT 33

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: METHYL TERTIARY BUTYL
ETHER ("MTBE") PRODUCTS
LIABILITY LITIGATION

MASTER FILE NO.
1:00-1898

THIS DOCUMENT RELATES TO:

COPY

CITY OF FRESNO

vs

CASE NO.
MDL 1358 (SAS)

CHEVRON U.S.A., INC., et al.,
CASE NO. 04 CIV. 4973

/

DEPOSITION OF THOMAS K. BAUHS - VOLUME I

WEDNESDAY, AUGUST 17, 2011 at 9:26 a.m.

Before: LOUISE MARIE SOUSOURES, CSR NO. 3575
Certified LiveNote Reporter

Taken at:
San Francisco, California

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Deposition of Thomas K. Bauhs / August 17, 2011

1 talk about, the topics he is designated on and then it
2 goes into each station, it has notes pertaining to each
3 station.

4 Is that a fair characterization?

5 MR. MAHER: That's fine.

6 MR. EICKMEYER: I don't know if there's a way to
7 share it with people or get it out to them later or
8 something.

9 BY MR. EICKMEYER:

10 Q. Under preparations for deposition, Mr. Bauhs, it
11 has "Search for facilities listed in deposition notice
12 for noticed companies' involvement" and there's a list of
13 I think the stations we're here to discuss.

14 Can you describe for us what you did when you
15 say "search for facilities listed"?

16 A. The search that I did was to search in
17 Chevron's -- Chevron EMC, Environmental Management
18 Company's STRATA database. That's where we maintain all
19 the information on the facilities that Environmental
20 Management Company manages on behalf of the Chevron
21 legacy companies.

22 I searched in that database to try to -- to
23 identify which of the facilities listed in the deposition
24 notice were in that database.

25 Generally, that database contains any site

Deposition of Thomas K. Bauhs / August 17, 2011

1 that -- any facility that we have, Chevron Environmental
2 Management Company has managed or directed any work on.

3 Q. When you say Chevron EMC, that's Chevron
4 Environmental Management Company?

5 A. Yes.

6 Q. You mentioned legacy companies. Would that be
7 companies such as Unocal?

8 A. That would be, yes, a legacy company.

9 Q. Can you describe, if you know, what was done to
10 make sure that information from those legacy companies
11 was put into the Chevron database?

12 A. Can you repeat the question, please?

13 Q. Maybe I can ask it a better way.

14 For example, if Chevron acquired one as you
15 described the legacy companies, was something done to put
16 that company's information into the Chevron database?

17 A. It depends. Generally, if a facility -- we
18 commonly refer to them as either sites or facilities,
19 pretty much interchangeable.

20 If that site is actively being worked on,
21 meaning Chevron Environmental Management Company is
22 managing or directing work on the facility, if a claim
23 comes in on a facility, it gets entered into that
24 database.

25 There may be facilities that Chevron may have

Deposition of Thomas K. Bauhs / August 17, 2011

1 A. My understanding of why those would not have
2 been in STRATA is that Chevron Environmental Management
3 Company had not managed or directed work on those
4 facilities.

5 So those facilities were not put into STRATA
6 because we weren't doing any work on those, Chevron was
7 not directing work on those.

8 Q. Now, on the last three listed in this list, 1160
9 Fresno, 1418 East Shaw and 794 West Shaw Avenue, I don't
10 see any comments after that regarding STRATA.

11 Do you recall if those were found in STRATA?

12 A. Yes, 1160 Fresno is definitely in STRATA.

13 Somehow I missed putting notes on those three.

14 The 1418 East Shaw Avenue is not in STRATA and
15 794 West Shaw Avenue is not in STRATA either.

16 Q. As to the last addresses, 1418 East Shaw and 794
17 West Shaw, do you have an understanding why those were
18 not in STRATA?

19 A. It's my understanding that those two
20 facilities -- for those two facilities, Chevron
21 Environmental Management Company never managed or
22 directed work on those facilities.

23 The work that was being directed up until the
24 sites received a no further action letter from the
25 regulatory agencies was being done -- at least at the

Deposition of Thomas K. Bauhs / August 17, 2011

1 primarily talking to him about the sites listed on the
2 deposition notice.

3 We weren't asking him about any facilities that
4 weren't on the deposition notice.

5 Q. The information that Mr. Robb provided, would
6 that be included in your notes for this packet for those
7 particular sites?

8 A. Yes.

9 Q. It mentions next a discussion with Chevron
10 Environmental Management Company employee Stephanie
11 McKenna, M-C capital K-E-N-N-A, regarding projects she
12 currently manages at Fresno.

13 Can you describe the conversations you had with
14 her?

15 A. Stephanie does report to me and I know she
16 manages the 1160 Fresno site.

17 So the discussion was primarily regarding that
18 site. None of the other sites on the deposition notice
19 does she currently manage.

20 Q. Is the information she provided included in the
21 appropriate section of this packet?

22 A. In preparing this, I didn't specifically
23 designate what she said, but the information that's here
24 is -- she provided me information that's included here in
25 terms of when I was preparing my notes.

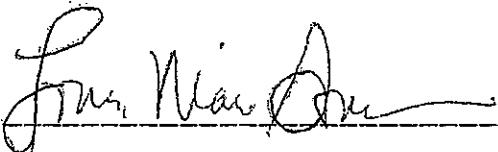
Deposition of Thomas K. Bauhs / August 17, 2011

1 I, LOUISE MARIE SOUSOURES, duly authorized to
2 administer oaths pursuant to Section 2093(b) of the
3 California Code of Civil Procedure, do hereby certify:
4 That the witness in the foregoing deposition was by me
5 duly sworn to testify the truth in the within-entitled
6 cause; that said deposition was taken at the time and
7 place therein cited; that the testimony of the said
8 witness was reported by me and was hereafter transcribed
9 under my direction into typewriting; that the foregoing
10 is a complete and accurate record of said testimony; and
11 that the witness was given an opportunity to read and
12 correct said deposition and to subscribe the same.

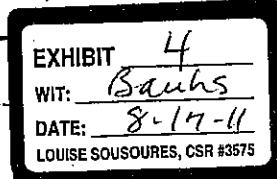
13 Should the signature of the witness not be
14 affixed to the deposition, the witness shall not have
15 availed himself or herself of the opportunity to sign or
16 the signature has been waived.

17 I further certify that I am not of counsel,
18 nor attorney for any of the parties in the foregoing
19 deposition and caption named, nor in any way interested
20 in the outcome of the cause named in said caption.

21 DATE: 9-2-2011

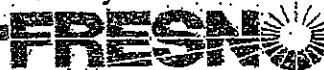
22 
23 LOUISE MARIE SOUSOURES, CSR 3575
24
25

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT							
EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I AM A DESIGNATED GOVERNMENT EMPLOYEE AND THAT I HAVE REPORTED THIS INFORMATION TO LOCAL OFFICIALS PURSUANT TO SECTION 25107 OF THE HAZARD AND SAFETY CODE.			
REPORT DATE 04/06/01		CASE # Lancelet Hatch		SIGNED Lancelet Hatch DATE 04/06/01			
NAME OF INDIVIDUAL FILING REPORT: Lancelet Hatch		PHONE (559) 445-3271		SIGNATURE Lancelet Hatch			
REPORTED BY REPRESENTING <input checked="" type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME Fresno County Environmental Health					
ADDRESS P.O. Box 11867 STREET 1231 Lillo Hall Street		CITY Fresno STATE CA ZIP 93704					
RESPONSIBLE PARTY NAME Chevron U.S.A. ADDRESS 2410 Camino Ramon, STREET C Street		CONTACT PERSON Lisa Marinaro CITY San Ramon STATE CA ZIP 94582		PHONE (408) 888-5302			
FACILITY NAME (IF APPLICABLE) Chevron U.S.A. ADDRESS 1160 Fresno Street STREET C Street		OPERATOR Lisa Marinaro CITY Fresno CITY Fresno STATE CA ZIP 93704		PHONE (408) 888-5302			
SITE LOCATION CROSS STREET LOCAL AGENCY Fresno County Health Dept REGIONAL BOARD Central Valley Region		TYPE OF AREA <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> RURAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> OTHER		TYPE OF BUSINESS <input checked="" type="checkbox"/> RETAIL FUEL STATION <input type="checkbox"/> FARM <input type="checkbox"/> OTHER			
IMPLEMENTING AGENCIES LOCAL AGENCY Fresno County Health Dept REGIONAL BOARD Central Valley Region		CONTACT PERSON Lancelet Hatch		PHONE (559) 445-3271			
NUISANCES INVOLVED (1) Gasoline (2)		NAME		QUANTITY LOST (GALLONS) <input type="checkbox"/> UNKNOWN			
DISCOVERY/ABATEMENT DATE DISCOVERED 04/06/01		HOW DISCOVERED <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> UNKNOWN		INVENTORY CONTROL <input type="checkbox"/> TANK REMOVAL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> OTHER			
DISCOVERY/ABATEMENT DATE DISCHARGE BEGAN 04/06/01		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> CLOSE TANK <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> CHANGE PROCEDURE <input checked="" type="checkbox"/> OTHER Remove Tank					
SOURCE/CAUSE SOURCE OF DISCHARGE <input checked="" type="checkbox"/> TANK LEAK <input type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		TANKS ONLY/CAPACITY 2-10,000 GAL AGE YRS <input checked="" type="checkbox"/> UNKNOWN		MATERIAL <input type="checkbox"/> FIBERGLASS <input checked="" type="checkbox"/> STEEL <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUTURE/FAILURE <input checked="" type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> SPILL <input checked="" type="checkbox"/> OTHER dirt lines	
CASE TYPE CHECK ONE ONLY <input checked="" type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)							
CURRENT STATUS CHECK ONE ONLY <input checked="" type="checkbox"/> SITE INVESTIGATION IN PROGRESS (DEFINING EXTENT OF PROBLEM) <input type="checkbox"/> CLEANUP IN PROGRESS <input type="checkbox"/> SIGNED OFF (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> NO FUNDS AVAILABLE TO PROCEED <input type="checkbox"/> EVALUATING CLEANUP ALTERNATIVES							
BENEFICIAL ACTION CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS)		<input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (EB) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> TREATMENT AT HOOKUP (TH) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> OTHER (OT)					
COMMENTS							



HSC 05 (4/03)

County of



Department of Health

George Bleth
Director

September 6, 1988

Lisa Marinaro
CHEVRON SERVICE STATION
2410 Camerino Ramon
San Ramon, CA 94583

Subject: Leaking Underground Storage
Tank Remediation

Location: 1160 Fresno Street, Fresno

An inspection, sampling, or testing conducted at your underground fuel storage facility indicates the presence of contamination. This preliminary evidence does not quantify or qualify the extent of contamination.

The County of Fresno is responsible for overseeing your efforts to remedy the contamination. It is our policy to assist you in interpreting cleanup requirements and to work with you to develop an effective, efficient approach to investigating and resolving contamination at your site.

You are requested to secure the services of a qualified consultant within ten days of receipt of this notice, and contact our office to make an appointment. We need to meet with you and your consultant to discuss the scope of work which will be required to determine the type and extent of contamination. A list of firms qualified to do the work is enclosed (Attachment A). This list is by no means complete and you are welcome to consider other consulting firms.

The County's and the State's costs of overseeing remedial action at your site are funded by the California Hazardous Substance Cleanup Fund or the Federal Petroleum Leaking Underground Storage Tank Fund. Both the State and Federal funding sources require the party (or parties) responsible for a site to reimburse the State Water Resources Control Board (SWRCB) for all costs incurred by government agencies while overseeing cleanup. The agencies involved may include the County of Fresno, SWRCB, Central Valley Regional Water Quality Control Board, State Department of Health Services, and U.S. Environmental Protection Agency. We are required to notify you, as a potentially responsible party, of this cost obligation. Upon completion of your project or some other work milestone, you will receive a detailed invoice from the SWRCB. A copy of the enclosed official notification form has been forwarded to the SWRCB (Attachment B).

1221 Fulton Mall/R.O. Box 11867/Fresno, California 93775/Phone (209) 445-3271
Equal Employment Opportunity - Affirmative Action - Handicap Employer

EXHIBIT 5

SWIT: Banks 8-17-11

DATE: 8-17-11

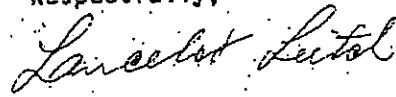
LOUISE SOUSOURIS, CSR #3575

Leaking Underground Storage
Tank Remediation
Page Two

The County is committed to ensuring a healthy environment for its citizens. While an underground storage tank leak may pose a significant threat to groundwater quality, we understand that site assessment and cleanup are costly and complex. We will work with you to develop a reasonable cleanup plan for your situation.

Please contact me at (209) 445-3271 to schedule a meeting and to answer any questions you may have.

Respectfully,



Lancelot Leitch, R.S.
Environmental Health Analyst
Environmental Health Services

LL:ema
MSM:vlc
EHS #1621
Attachments

cc: Krazan & Associates

SITE CHARACTERIZATION INVESTIGATION
CHEVRON STATION #4374
1160 FRESNO STREET
FRESNO, CALIFORNIA

Project No. E88-097
January 10, 1989

Prepared for:

Chevron USA
2410 Camino Ramon
San Ramon, California 94583

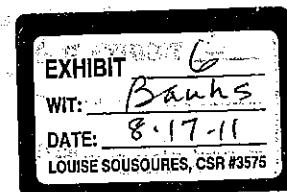


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Certified Analytical Reports	C
Well Installation Reports	D
Elevation Survey and Well Sounding Information	E
Logs of Nearby Wells	F

✓
Page No. 2
Project No. E88-097

(ppm) total volatile hydrocarbons, and 2) "Waste Oil Tank," which contained 80 ppm of oil and grease.

In the second sampling event, three soil borings were advanced on the project site. Two soil borings were advanced to a maximum depth of 55 feet through the backfilled tank excavation. The highest level of TVH registered beneath the site was 23,000 ppm at a depth of 55 feet in Boring #2. These borings were terminated approximately 15 feet above the suspected depth of the groundwater table, at the request of Fresno County. Due to the proximity of volatile hydrocarbons to the groundwater table, there is reason to believe that petroleum constituents may have impacted groundwater below the project site. A third boring was advanced near the waste oil tank. Concentrations ranging from 80-140 ppm oil and grease were detected in 4 soil samples obtained from 25 to 40 feet in the boring.

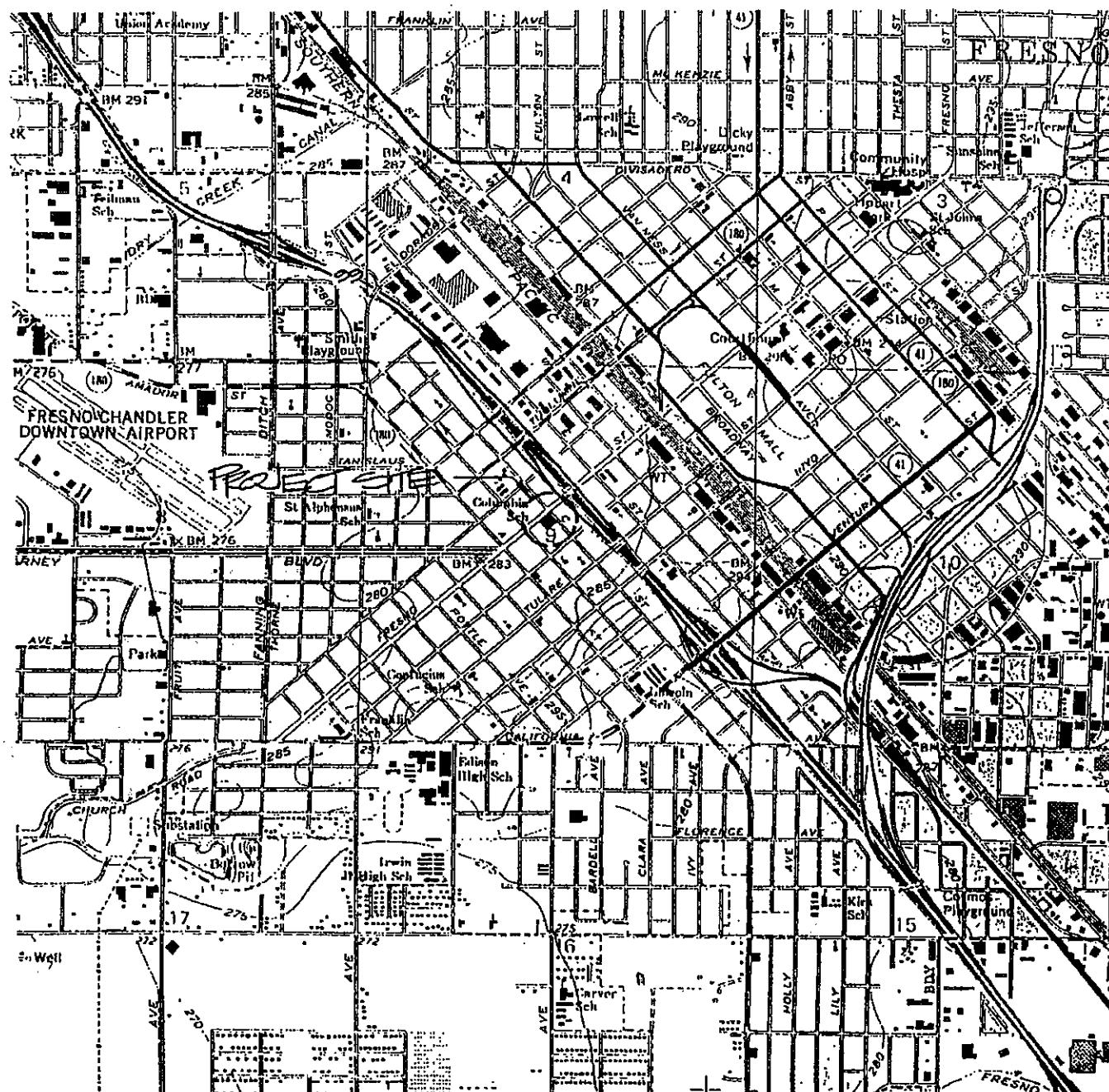
A proposal was developed to outline the additional work necessary for the characterization of the soil and groundwater contamination at the site, and to collect other information that may be necessary for the design of a remedial program. The proposal was accepted by Chevron USA and Fresno County and approval was given to proceed with the soil and groundwater investigation. The results of that investigation are detailed in our report as follows.

SITE LOCATION

The former Chevron Service Station was located on the southern corner of Fresno and C Streets in Fresno, California. It is found within the SE 1/4 of the NW 1/4 of Section 9, T14S, R20E, Mount Diablo Baseline and Meridian (See Figure 1). The above described property is identified by Fresno County Assessor's Parcel Number 467-152-21. The facility is currently owned by Chevron USA.

Property surrounding the project is primarily residential and commercial. The site is bounded on the northwest by Fresno Street and the northeast by "C" Street. To the southwest of the property is an alley, and to the southeast of the property is a vacant lot.

KRAZAN & ASSOCIATES, INC.



• 1

TAKEN FROM 1081 PHOTOPRINTED
U.S.G.S. "FRENO SOUTH", 7.5
MINUTE PHOTOGRAPHIC QUADRANGLE

11

CHEVRON STATION
No. 4374
1160 FRESNO ST.
FRESNO CA.

Scale: 1" = <u>200</u>	Date: <u>8-88</u>
Drawn by: <u>RB</u>	Approved by: <u>TM</u>
Project No. <u>E88-007</u>	Drawing No. <u>1</u> of <u>6</u>



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Merced Fresno Visalia Bakersfield

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SITE DESCRIPTION

The project site is relatively level and unpaved. The removed underground storage tank system consisted of three underground fuel tanks (2-10,000 gallon and 1-5,000 gallon), two dispenser islands, product lines, and a waste oil tank. The service station building has been demolished and no other surface structures remain on-site (see Figure 2 for former tank and island locations).

SITE HISTORY

The project site was developed as Chevron Station #4374. A service station building, two gasoline dispenser islands, 2-10,000 gallon underground gasoline storage tanks, one 5,000 gallon underground gasoline storage tank, an underground waste oil tank, product line, and utility services were present at the site.

On June 8, 1988, soil samples were obtained from beneath the underground storage tanks, product lines, and dispenser islands at the site. The service station and all facilities were demolished and/or removed at that time. The results of these samplings are presented in the following table:

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TABLE I

Concentration of Petroleum Constituents in Soils

From June 27, 1988 Report; Project No. E88-048

(Concentrations in parts per million)

GASOLINE TANKS AND PRODUCT LINES

<u>Sample I.D.</u>	<u>Benzene</u>	<u>Toluene</u>	<u>Xylenes</u>	<u>Ethyl-benzene</u>	<u>TVH</u>
Tank 1, North	ND	ND	1.3	<0.05	42
Tank 1, South	ND	ND	ND	ND	ND
Tank 2, North	ND	ND	98	4.7	4,792
Tank 2, South	ND	ND	ND	ND	ND
Tank 3, North	ND	ND	ND	ND	ND
Tank 3, South	ND	ND	ND	ND	ND
Delivery Lines, North	ND	ND	ND	ND	ND
Delivery Lines, East	ND	ND	ND	ND	ND

WASTE OIL TANKSample I.D. Oil & Grease

Waste Oil Tank

80

ND = Non-detected

TVH = Total Volatile Hydrocarbons

< = Less Than

Subsequently, based on review of this data, Chevron USA-Environmental Division requested that a site characterization be conducted to determine the extent of contamination below the project site.

During the site characterization investigation at the project site, petroleum constituents were found to be present in the soil. Petroleum constituents were present in the subsoils at a depth near historic groundwater levels, and it was suspected that groundwater contamination may have occurred.

Results of samples obtained during that investigation are included in Table II.

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TABLE II
Concentrations of Petroleum Constituents in Soils
 (Concentrations in parts per million)

Boring No./Depth	Benzene	Toluene	Ethylbenzene	Xylenes	TVH	O&G
Boring 1 at 45'	5	87	32	200	1500	*
Boring 1 at 50'	2	34	11	79	550	*
Boring 1 at 55'	10	100	28	170	1300	*
Boring 2 at 45'	6	12	14	38	940	*
Boring 2 at 50'	5	11	13	25	810	*
Boring 2 at 55'	2	50	61	140	23,000	*
Boring 3 at 25'	*	*	*	*	*	100
Boring 3 at 30'	*	*	*	*	*	100
Boring 3 at 35'	*	*	*	*	*	80
Boring 3 at 40'	*	*	*	*	*	140

ND = Non-Detected

BDL = Below Detection Limits

O&G = Oil & Grease

TVH = Total Volatile Hydrocarbons

* = Sample Not Tested

When field screening of the soil samples indicated the presence of petroleum constituents near groundwater, Mr. Lance Leitch of the Fresno County Environmental Health Department was contacted to request a permit to continue a boring to groundwater and install a groundwater monitoring well. At that time, Mr. Leitch denied the request for a monitoring well at those locations in the backfilled excavation. He requested that an additional work plan be submitted for further work.

After several revisions, a work plan dated October 26, 1988, and an addendum dated November 15, 1988, were approved by Chevron U.S.A. and the Fresno County Environmental Health Department. Permit approval was granted on November 21 and 22, 1988. Field crews began the investigation on November 28, 1988. The results of that investigation are detailed in the report as follows.

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GEOLOGIC AND HYDROLOGIC SETTING

Geologic Setting

The project site is located in the central portion of the San Joaquin Valley of California. The San Joaquin Valley makes up the southern portion of the Great Central Valley Geomorphic Province. Subsurface materials are composed primarily of alluvium derived from Sierra Nevada source rocks. These alluvial deposits generally consist of sands, silty sands, and some minor gravels.

The topography of the site is relatively level. Overall, topography surrounding the City of Fresno slopes gently to the west.

Hydrologic Setting

Fresno is located within the San Joaquin Basin Hydrologic Study Area, which is primarily an arid to semi-arid environment. Within the study area, 39 groundwater basins and areas of potential groundwater storage have been identified. Specifically, the City of Fresno is located within the Kings Basin.

Groundwater beneath the project site exists in a single, unconfined aquifer. It is classified by the U.S. Environmental Protection Agency (EPA) as a sole source aquifer. As such, waters from this aquifer are highly regulated. The aquifer's level is variable and is influenced by the withdrawal of subsurface waters for agricultural uses. According to the State of California Department of Water Resources (DWR) map entitled "Lines of Equal Elevation of Water in Wells, Unconfined Aquifer, San Joaquin Valley, Spring 1986," the elevation of the water surface in the area of the project site was believed to be 205 feet above mean sea level. According to the United States Department of the Interior Geological Survey (1981 photorevised) Fresno South 7.5 minute topographic quadrangle map, the project site was interpreted to be located at an elevation of 283 feet above mean sea level. Calculations involving these figures indicate a depth to groundwater beneath the project site of 78 feet below existing grade.

Review of the Fall 1984, Spring 1985, Fall 1985, Spring 1986 and Fall 1986 editions of the California State Department of Water Resources maps has shown a depression in the groundwater surface exists under downtown Fresno. This

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depression may be due in part to the large number of wells that are located in this area of limited recharge. Because this depression exists, specific groundwater gradient direction cannot be determined from the maps. However, gradient could be interpreted to be in a northerly direction. Groundwater levels were also shown to vary significantly in the DWR Maps.

PURPOSE OF THE INVESTIGATION

The purpose of the investigation was to fully define the soil and groundwater contamination by petroleum constituents believed to be present beneath the project site. Additionally, site-specific hydrologic data such as depth to groundwater and groundwater gradient were determined. Preliminary indications as to the impact of petroleum constituents were also to be given.

SCOPE OF THE INVESTIGATION

The scope of this phase of the investigation was limited to the advancement of seven (7) exploratory soil borings to a maximum depth of 55 feet below existing grade. Additionally, four groundwater monitoring wells were installed within and around the subject property to a maximum depth of approximately 100 feet as necessary to give preliminary definition to the groundwater contamination present. Selected soil and groundwater samples were analyzed for the presence and concentration of petroleum constituents. Groundwater monitoring wells were surveyed for relative elevations and selected site-specific groundwater and aquifer characteristics were determined.

METHODOLOGY

In order to accomplish the goals established in the purpose and scope of the investigation sections of this report, the following methods were employed:

1. All necessary permits were obtained prior to the commencement of the investigation at the proposed project

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site. For copies of the permits issued, please refer to Appendix A.

2. An additional literature survey of published geologic and groundwater data in the vicinity of the project site was conducted in an attempt to more fully describe the conditions present.

3. All exploratory soil borings were advanced by means of a Mobile Drill B-61, truck-mounted drill rig, utilizing 4 1/4" and 6 5/8" I.D. hollow stem auger. Drilling fluids were not used while advancing any of the borings.

4. Four borings were advanced for the means of installing groundwater monitoring wells. Borings MW-A and MW-B were advanced to a depth of 90 feet below existing grade. Borings MW-C and MW-D were advanced to depths of 85 and 100 feet below grade, respectively. The depths were selected based upon review of published data regarding depth to groundwater in the vicinity of the project site. The purpose of these groundwater monitoring wells was to allow the sampling of groundwater below the site and also to determine the depth to groundwater and site-specific groundwater gradient. For the exact locations of the wells installed, please refer to Figure 2.

5. Seven additional soil borings were advanced on the project site in an attempt to fully define the contamination present in the subsoils in the area of the underground storage tanks and their immediate vicinity. These borings were advanced to a maximum depth of 55 feet below grade, so as to leave a 15 foot undisturbed buffer between the bottom of the boring and the historic groundwater level.

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6. Soil samples were obtained for logging purposes at five-foot intervals, commencing at an approximate depth of 10 to 15 feet below existing grade in each boring location. Selected soil samples were also submitted for the chemical analysis of petroleum constituents.

7. Soil samples were obtained by means of pushing stainless steel tubes at discrete intervals (ASTM D-1587-86, "Thin-Walled Tube Sampling of Soils").

8. During the drilling process, the soil samples and drilling returns were field screened with an H-nu brand, portable photoionization detector (PID). The PID is a direct reading real-time analyzer that is capable of detecting most of the volatile hydrocarbons constituents present in vapor phase petroleum contaminated soils. The PID that was used for this investigation uses a 10.2 electron volt lamp and is calibrated using an iso-butylene calibration gas. Iso-butylene is a relatively safe calibration gas similar in ionization potential to benzene (the carcinogen of primary concern present in gasoline).

9. During the advancement of the exploratory soil borings (used for the lateral definition of contaminants in soil), if PID readings indicated petroleum constituents to be absent from four consecutive samples (20 feet), the advancement of that boring was ceased and it was backfilled with a mixture of auger cuttings and bentonite. Any of these borings advanced to a depth greater than 40 feet below grade was backfilled with a six-sack sand/cement slurry with approximately 3% bentonite added to reduce shrinkage.

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10. All excess drilling returns were spread out to aerate on site in accordance with Rule 409 of the Fresno County Air Pollution Control District Book of Rules and Regulations.

11. Equipment used for advancing the soil borings, installation of the monitoring wells, and the sampling of soil and groundwater were steam-cleaned between each boring and/or sampling, before leaving the site each day, or as necessary to minimize the chances of cross contamination.

12. All groundwater monitoring wells installed generally consist of 4-inch diameter Schedule 40 PVC well screen with 0.020" perforations. Above the screened interval exists 4-inch diameter Schedule 40 PVC well casing. This well casing extends to nearly the surface where the end is enclosed within a locking cap. For details regarding the materials used in constructing these wells, please refer to the well installation reports in Appendix D.

13. The annulus of each monitoring well consists of a filter medium of #2 or #16 washed sand. This filter medium extends to a depth which would correspond with approximately two feet above the screened interval. Above the filter medium, a seal of a minimum three foot thickness was established using 3/8-inch diameter bentonite pellets. The remaining annulus (from the bentonite seal to approximately 8 inches from grade) consists of a six sack sand/cement slurry. Approximately 3% of the total volume of slurry is composed of a bentonite powder which was added to reduce shrinkage away from the well pipe. A surface vault was installed around each well head to provide a surface access to the locked well cap assembly. The surface vaults were installed in such a way so as to accommodate possible future paving operations. For details regarding the materials used in

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constructing these wells, please refer to the well installation reports in Appendix D.

14. Each well was sounded then developed by bailing approximately five to ten well volumes. Waters generated from the development of each well were barreled pending disposal by the property owner or his representative. Following well development, each well was allowed to stabilize, then was re-sounded.

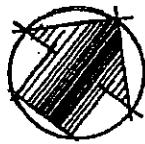
15. After stabilization, all wells were re-sounded then sampled by means of a Teflon bailer. Water from the bailer was transferred to VOA vials. The VOA vials were laboratory clean and their caps were Teflon lined to insure a tight fit.

16. All samples were collected, maintained, and transported under chain of custody protocol to a state approved laboratory for chemical analysis. Selected samples near the fuel tank cluster were analyzed to detect the presence and concentration of benzene, toluene, ethylbenzene, xylenes, and total volatile hydrocarbons by EPA Methods 8020 (soil)/602 (water) and 8015M. Near the waste oil tank, selected samples were analyzed for volatile organics by EPA methods 8010-8020 (soil)/601-602 (water) and oil and grease.

17. The relative elevation of the well heads were determined by an elevation survey so that the site-specific groundwater gradient could be computed from well sounding information. For information obtained from the elevation or well sounding, please refer to Table VI and VII, respectively.

18. All field work was conducted under standards set forth by industry and deemed acceptable by various regulatory agencies. Hard hats, protective eyewear, steel-toe boots,

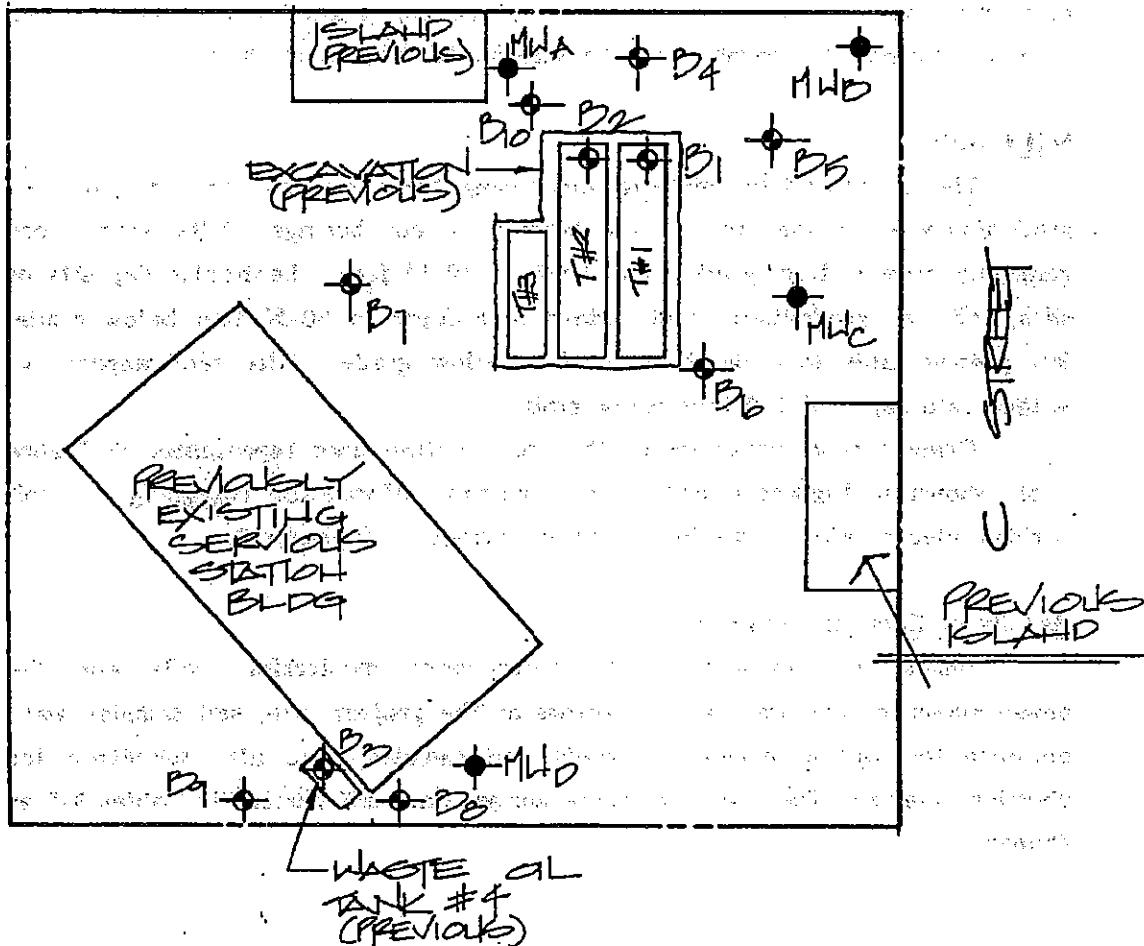
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~~SITE-SPECIFIC
GROUNDWATER
GRADIENT~~

Fresno ST.

AUET



CHEVRON
4374

Fresno

CA.

Scale: 1"=30'	Date: 6/8/00
Drawn by: P.B.	Approved by: TM
Project No. E003-01	Drawing No. 1 of 6

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protective clothing, and respiratory devices were worn by field personnel during steam cleaning and drilling activities around the backfilled tank excavations, as directed by the field geologist present.

FINDINGS OF THIS INVESTIGATION

During this phase of the investigation seven exploratory soil borings and four groundwater monitoring wells were advanced/installed on the project site to obtain samples to characterize the substances beneath the site.

Soil Profile

The unconsolidated material comprising the soil profile consisted of well graded/silty sands and silts to the bottoms of our borings. Silty sands were generally present from grade to a depth of 10-15 feet. Lenticular deposits of silts, and well graded/silty sand extend to a depth of 40-50 feet below grade. Silt predominates to a depth of 75 feet below grade. Silty sand appears to extend to a depth of 100 feet below grade.

Graphic representations of the cross section lines represented in Figure 3 are shown in Figures 4 and 5. For specific information regarding our soil borings, please refer to the logs of these borings in Appendix B.

Results of Chemical Analysis

During the installation of groundwater monitoring wells and the advancement of exploratory soil borings at the project site, soil samples were obtained for logging purposes. Select soil samples were also submitted for chemical analysis. The results of these analyses are summarized in Tables 3-5 as follows.

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TABLE III
Concentration of Petroleum Constituents in Soil
(new former oil tank location)
MW-D at various depths (new former oil tank location)
(Concentrations in ppm)

<u>Constituents</u>	<u>20 ft.</u>	<u>35 ft.</u>	<u>50 ft.</u>	<u>65 ft.</u>	<u>70 ft.</u>	<u>75 ft.</u>	<u>80 ft.</u>
EPA Method 8020							
Benzene	ND	ND	ND	ND	ND	ND	0.07
Chlorobenzene	ND						
1, 2-Dichlorobenzene	ND						
1, 3-Dichlorobenzene	ND						
1, 4-Dichlorobenzene	ND						
Ethylbenzene	ND	ND	ND	ND	ND	0.02	0.03
Toluene <i>SAL = 0.10 ppm</i>	ND	0.03	0.10	0.03	0.08	0.30	0.30
Xylene	ND	ND	ND	ND	ND	0.14	0.2
TVH	ND	ND	ND	ND	ND	ND	BDL
Oil & Grease	<50	220	100	<50	<50	88	<50

TVH = Total Volatile Hydrocarbons

< = Less than

ND = Non-Detected

BDL = Below Detection Limit

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TABLE III (CONTINUED)

Concentration of Petroleum Constituents in Soil

B-8 at various depths *near water*
(Concentrations in ppm)

<u>Constituents</u>	<u>20 ft.</u>	<u>35 ft.</u>	<u>40 ft.</u>	<u>45 ft.</u>	<u>50 ft.</u>
<u>EPA Method 8020:</u>					
Benzene	ND	ND	ND	ND	ND
Chlorobenzene	ND	ND	ND	ND	ND
1, 2-Dichlorobenzene	ND	ND	ND	ND	ND
1, 3-Dichlorobenzene	ND	ND	ND	ND	ND
1, 4-Dichlorobenzene	ND	ND	ND	ND	ND
Ethylbenzene	ND	ND	ND	ND	ND
Toluene	0.04	0.04	0.01	0.02	0.03
Xylene	ND	ND	ND	ND	ND
TVH (EPA 8015M)	ND	ND	ND	ND	ND
Oil & Grease	52	<50	<50	<50	<50

TVH = Total Volatile Hydrocarbons

< = Less than

ND = Non-Detected

BDL = Below Detection Limit

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TABLE III (CONTINUED)
Concentration of Petroleum Constituents in Soil
 B-9 at various depths
 (Concentrations in ppm)

<u>Constituents</u>	<u>20 ft.</u>	<u>35 ft.</u>	<u>40 ft.</u>	<u>45 ft.</u>	<u>50 ft.</u>
EPA Method 8020:					
Benzene	ND	ND	ND	ND	ND
Chlorobenzene	ND	ND	ND	ND	ND
1, 2-Dichlorobenzene	ND	ND	ND	ND	ND
1, 3-Dichlorobenzene	ND	ND	ND	ND	ND
1, 4-Dichlorobenzene	ND	ND	ND	ND	ND
Ethylbenzene	ND	ND	ND	ND	ND
Toluene	0.05	0.04	0.03	0.03	0.03
Xylene	ND	ND	ND	ND	ND
TVH (EPA 8015M)					
Oil & Grease	<50	<50	<50	<50	<50

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TABLE IV

Concentrations of Petroleum Constituents in Soils

MW-D - EPA Method 8010

(Concentrations in ppm)

Constituent	20 ft.	35 ft.	50 ft.	65 ft.	70 ft.	75 ft.	80 ft.
Bromodichloromethane	ND						
Bromoform	ND						
Bromomethane	ND						
Carbon tetrachloride	ND						
Chlorobenzene	ND						
Chloroethane	ND						
2-Chloroethylvinyl ether	ND						
Chloroform	ND						
Chloromethane	ND						
Dibromochloromethane	ND						
1,2-Dichlorobenzene	ND						
1,3-Dichlorobenzene	ND						
1,4-Dichlorobenzene	ND						
Dichlorodifluoromethane	ND						
1,1-Dichloroethane	ND						
1,2-Dichloroethane	ND						
1,1-Dichloroethene	ND						
trans-1,2-Dichloroethene	ND						
1,2-Dichloropropane	ND						
cis-1,3-Dichloropropene	ND						
trans-1,3-Dichloropropene	ND						
Methylene chloride	ND						
1,1,2,2-Tetrachloroethane	ND						
Tetrachloroethene	ND						
1,1,1-Trichloroethane	ND						
1,1,2-Trichloroethane	ND						
Trichloroethene	ND						
Trichlorofluoromethane	ND						
Vinyl Chloride	ND						

ND = Non-Detected

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TABLE IV (CONTINUED)
Concentrations of Petroleum Constituents in Soils
B-8 - EPA Method 8010
(Concentrations in ppm)

Constituent	20 ft.	35 ft.	40 ft.	45 ft.	50 ft.
Bromodichloromethane	ND	ND	ND	ND	ND
Bromoform	ND	ND	ND	ND	ND
Bromomethane	ND	ND	ND	ND	ND
Carbon tetrachloride	ND	ND	ND	ND	ND
Chlorobenzene	ND	ND	ND	ND	ND
Chloroethane	ND	ND	ND	ND	ND
2-Chloroethylvinyl ether	ND	ND	ND	ND	ND
Chloroform	ND	ND	ND	ND	ND
Chloromethane	ND	ND	ND	ND	ND
Dibromochloromethane	ND	ND	ND	ND	ND
1,2-Dichlorobenzene	ND	ND	ND	ND	ND
1,3-Dichlorobenzene	ND	ND	ND	ND	ND
1,4-Dichlorobenzene	ND	ND	ND	ND	ND
Dichlorodifluoromethane	ND	ND	ND	ND	ND
1,1-Dichloroethane	ND	ND	ND	ND	ND
1,2-Dichloroethane	ND	ND	ND	ND	ND
1,1-Dichloroethene	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND
1,2-Dichloropropane	ND	ND	ND	ND	ND
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND
Methylene chloride	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND
Tetrachloroethene	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	ND	ND	ND	ND	ND
1,1,2-Trichloroethane	ND	ND	ND	ND	ND
Trichloroethene	ND	ND	ND	ND	ND
Trichlorofluoromethane	ND	ND	ND	ND	ND
Vinyl Chloride	ND	ND	ND	ND	ND

ND = Non-Detected

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TABLE IV (CONTINUED)
Concentrations of Petroleum Constituents in Soils
B-9 - EPA Method 8010
(Concentrations in ppm)

<u>Constituent</u>	<u>20 ft.</u>	<u>35 ft.</u>	<u>40 ft.</u>	<u>45 ft.</u>	<u>50 ft.</u>
Bromodichloromethane	ND	ND	ND	ND	ND
Bromoform	ND	ND	ND	ND	ND
Bromomethane	ND	ND	ND	ND	ND
Carbon tetrachloride	ND	ND	ND	ND	ND
Chlorobenzene	ND	ND	ND	ND	ND
Chloroethane	ND	ND	ND	ND	ND
2-Chloroethylvinyl ether	ND	ND	ND	ND	ND
Chloroform	ND	ND	ND	ND	ND
Chloromethane	ND	ND	ND	ND	ND
Dibromochloromethane	ND	ND	ND	ND	ND
1,2-Dichlorobenzene	ND	ND	ND	ND	ND
1,3-Dichlorobenzene	ND	ND	ND	ND	ND
1,4-Dichlorobenzene	ND	ND	ND	ND	ND
Dichlorodifluoromethane	ND	ND	ND	ND	ND
1,1-Dichloroethane	ND	ND	ND	ND	ND
1,2-Dichloroethane	ND	ND	ND	ND	ND
1,1-Dichloroethene	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND
1,2-Dichloropropane	ND	ND	ND	ND	ND
cis-1,3-Dichloropropene	ND	ND	ND	ND	ND
trans-1,3-Dichloropropene	ND	ND	ND	ND	ND
Methylene chloride	ND	ND	ND	ND	ND
1,1,2,2-Tetrachloroethane	ND	ND	ND	ND	ND
Tetrachloroethene	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	ND	ND	ND	ND	ND
1,1,2-Trichloroethane	ND	ND	ND	ND	ND
Trichloroethene	ND	ND	ND	ND	ND
Trichlorofluoromethane	ND	ND	ND	ND	ND
Vinyl Chloride	ND	ND	ND	ND	ND

ND = Non-Detected

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TABLE V
Concentrations of Petroleum Constituents in Soil
EPA Method 8X020/8015M
(Concentrations in parts per million)

<u>Sample Description</u>	<u>Benzene</u>	<u>Toluene</u>	<u>Ethyl-benzene</u>	<u>Xylenes</u>	<u>TVH</u>
MW-A @ 15'	ND	BDL	ND	ND	ND
MW-A @ 30'	ND	ND	ND	ND	ND
MW-A @ 45'	0.20	0.40	BDL	0.20	ND
MW-A @ 55'	0.70	1.40	0.06	0.40	BDL
MW-A @ 60'	4.20	7.10	0.30	2.40	24
MW-A @ 65'	6.90	31	7.40	49	630
MW-A @ 70'	0.40	BDL	ND	0.08	ND
MW-B @ 20'	ND	0.05	ND	ND	ND
MW-B @ 35'	ND	0.07	ND	0.12	ND
MW-B @ 50'	0.39	0.51	0.06	0.20	BDL
MW-B @ 55'	0.45	0.62	0.11	0.36	BDL
MW-B @ 60'	0.14	0.48	BDL	0.16	ND
MW-B @ 65'	0.28	0.96	0.56	2.90	86
MW-B @ 70'	0.67	3.40	1.90	11	200
MW-C @ 15'	ND	0.2	ND	ND	ND
MW-C @ 25'	ND	BDL	ND	ND	ND
MW-C @ 40'	ND	0.10	ND	ND	ND
MW-C @ 55'	ND	0.2	ND	ND	ND
MW-C @ 60'	0.02	0.14	ND	ND	ND
MW-C @ 65'	ND	0.28	ND	ND	ND
MW-C @ 70'	0.03	0.25	0.07	0.31	BDL
B-4 @ 25'	ND	ND	ND	ND	ND
B-4 @ 40'	0.04	0.10	ND	0.08	ND
B-4 @ 45'	0.05	0.20	ND	BDL	ND
B-4 @ 50'	0.10	0.30	ND	0.10	ND
B-4 @ 55'	0.50	1.00	0.05	0.40	ND
B-5 @ 20'	ND	ND	ND	ND	ND
B-5 @ 35'	ND	ND	ND	ND	ND
B-5 @ 40'	ND	ND	ND	ND	ND
B-5 @ 45'	ND	ND	ND	ND	ND
B-5 @ 50'	1.00	1.80	0.08	0.60	BDL

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TABLE V (CONTINUED)
EPA Method 8020/8015M
Concentrations of Petroleum Constituents in Soil
(Concentrations in parts per million)

<u>Sample Description</u>	<u>Benzene</u>	<u>Toluene</u>	<u>Ethyl-benzene</u>	<u>Xylenes</u>	<u>TVH</u>
B-6 @ 20'	ND	ND	ND	ND	ND
B-6 @ 35'	ND	ND	ND	ND	ND
B-6 @ 40'	ND	ND	ND	ND	ND
B-6 @ 45'	ND	ND	ND	ND	ND
B-6 @ 50'	ND	ND	ND	ND	ND
B-7 @ 20'	ND	ND	ND	ND	ND
B-7 @ 35'	0.05	0.05	ND	ND	ND
B-7 @ 40'	ND	ND	ND	ND	ND
B-7 @ 45'	0.05	0.10	ND	BDL	ND
B-7 @ 50'	1.20	2.20	0.10	0.80	BDL
B-10 @ 25'	0.30	1.80	0.20	1.40	BDL
B-10 @ 40'	0.10	0.30	ND	0.10	ND
B-10 @ 45'	0.05	0.10	ND	0.05	ND
B-10 @ 50'	0.80	1.50	0.10	0.60	ND
B-10 @ 55'	1.70	3.30	0.20	1.10	BDL

TVH = Total Volatile Hydrocarbons

ND = Non-Detected

BDL = Below Detection Limits

Benzene= 0.02 ppm, Toluene= 0.05 ppm, Ethylbenzene= 0.05 ppm,
Xylenes= 0.05 ppm, and TVH= 10 ppm)

KRAZAN & ASSOCIATES, INC.

RWOGR-FRESNO-040986

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TABLE VI
Concentrations of Petroleum Constituents in Groundwater
(Concentrations in ppb, unless otherwise noted)

Constituents	MW-A	MW-B	MW-C	MW-D	Detection
EPA 601					
Bromodichloromethane	*	*	*	ND	0.5
Bromoform	*	*	*	ND	0.5
Bromomethane	*	*	*	ND	0.5
Carbon tetrachloride	*	*	*	ND	0.5
Chlorobenzene	*	*	*	ND	0.5
Chloroethane	*	*	*	ND	0.5
2-Chloroethylvinyl ether	*	*	*	ND	0.5
Chloroform	*	*	*	ND	0.5
Chloromethane	*	*	*	ND	0.5
Dibromochloromethane	*	*	*	ND	0.5
1,2-Dichlorobenzene	*	*	*	ND	0.5
1,3-Dichlorobenzene	*	*	*	ND	0.5
1,4-Dichlorobenzene	*	*	*	ND	0.5
Dichlorodifluoromethane	*	*	*	ND	0.5
1,1-Dichloroethane	*	*	*	920	0.5
1,2-Dichloroethane	*	*	*	ND	0.5
1,1-Dichloroethene	*	*	*	ND	0.5
trans-1,2-Dichloroethene	*	*	*	ND	0.5
1,2-Dichloropropane	*	*	*	ND	0.5
cis-1,3-Dichloropropene	*	*	*	ND	0.5
trans-1,3-Dichloropropene	*	*	*	ND	0.5
Methylene Chloride	*	*	*	ND	0.5
1,1,2,2-Tetrachloroethane	*	*	*	ND	0.5
Tetrachloroethene	*	*	*	ND	0.5
1,1,1-Trichloroethane	*	*	*	ND	0.5
1,1,2-Trichloroethane	*	*	*	ND	0.5
Trichloroethene	*	*	*	ND	0.5
Trichlorofluoromethane	*	*	*	ND	0.5
Vinyl Chloride	*	*	*	ND	0.5
EPA 602:					
Benzene	35000	14000	23000	6700	0.5
Toluene	44000	18000	33000	ND	0.5
Ethylbenzene	3300	1700	2500	1300	0.5
Total Xylenes	22000	7400	16000	*	0.5
EPA 8015M:					
Total Volatile Hydrocarbons	320000	150000	250000	120000	50
Oil & Grease	*	*	*	4 ppm	*

ND = Non-Detected
= Sample Not Tested

* Not analyzed

TABLE VII
LEVEL CIRCUIT DATA

Proj. Name Chevron Station Number 4374, Fresno and C, Fresno CA

Project No. E88-097 Date 12/16/88

Location	Reading 1	Elevation 1	Reading 2	Elevation 2	Difference
TBM	5.37	100.00	5.37	100.00	0.00
MW-A	4.95	100.42	4.95	100.42	0.00
MW-B	5.39	99.98	5.39	99.98	0.00
MW-C	4.87	100.50	4.87	100.50	0.00
MW-D	4.35	101.02	4.35	101.02	0.00
TBM	5.37	100.00	5.37	100.00	0.00

Crew: Rick Stauber, Ron Holcomb

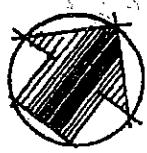
Equipment: Lietz CSI B4 Self Leveling Level, No 242165, R.J. Wayle No. 2-1
Mound City Level Rod, Krazan Number 001
Well Sounding Cap Number 001

Weather: Cold, 45 Degrees, Raining Lightly on and off, Cloud cover 100%

TBM: Chiseled X on curb near corner of Fresno and "C".
Assigned elevation of 100.00 feet above MSL

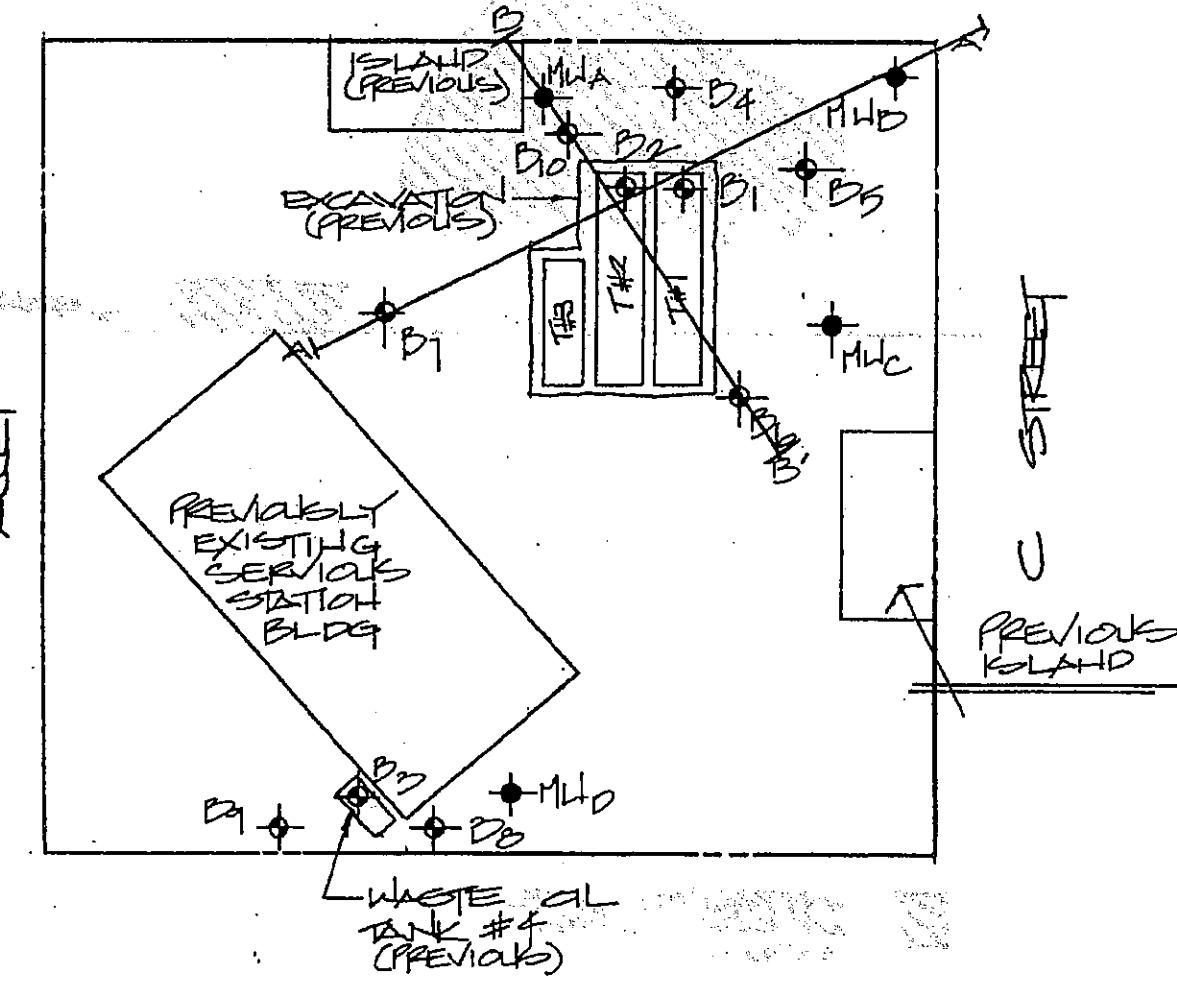
Note: All measurements made to Sounding Cap.

Krazan and Associates, Inc.



SITE-SPECIFIC
GROUNDSWATER
GRADIENT

FRENSO ST.



- EXPLORATORY SOIL BORING
- MONITORING WELL
- T# PREVIOUSLY EXISTING UNDERGROUND TANK

CHEVRON
4374

FRENSO CA.

Scale: 1" = 30' Date: Jan. 189

Drawn by: B Approved by: TM

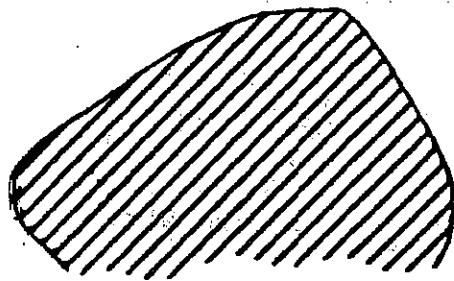
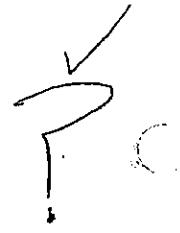
Project No. ESS-01 Drawing No. 3 of 10



KRAZAN & ASSOCIATES

Merced Fresno Visalia Bakersfield

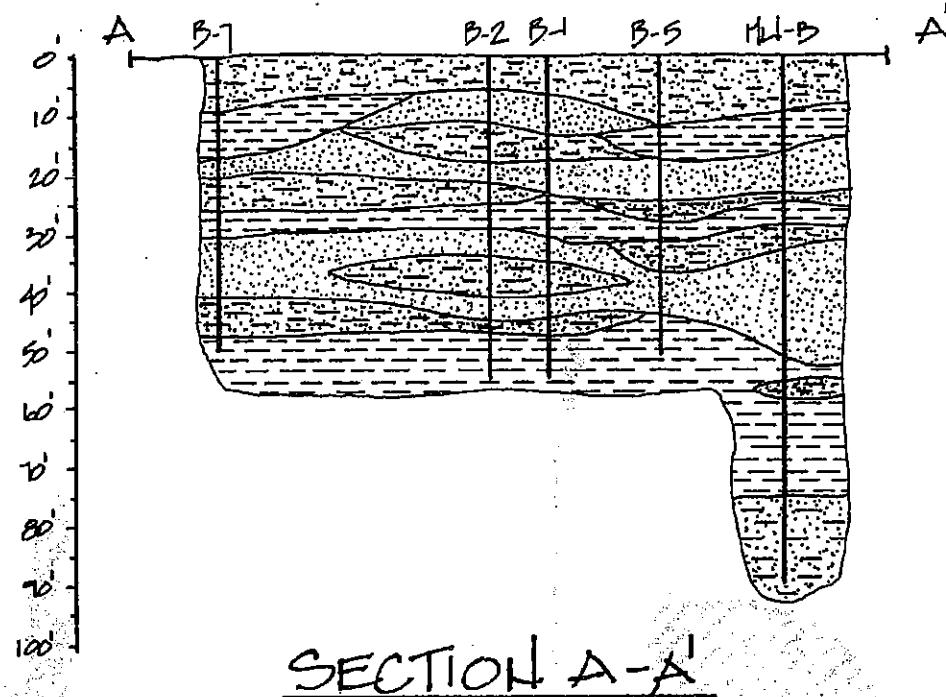
OVERLAY FOR FIG. 4



groundwater



APPROXIMATE LIMIT
OF CONTAMINATED
SOILS



SECTION A-A'

[Hatched Box] = Silt

[Cross-hatched Box] = Sand

[Vertical Lines Box] = ML

CHEVRON STA
#4714
1100 FRESNO ST.
FRESNO CA

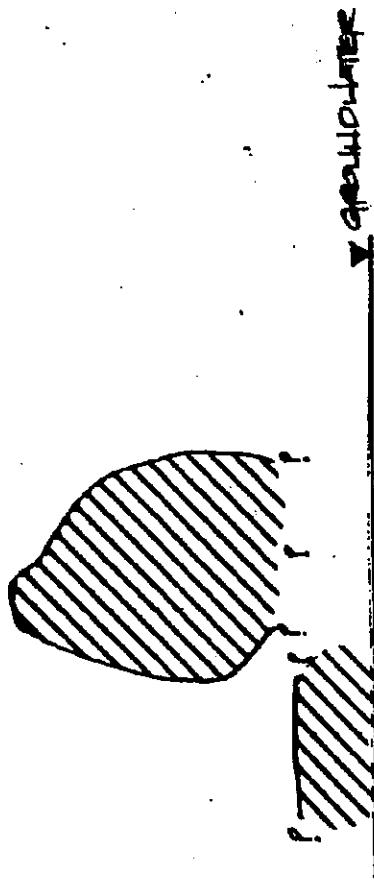
Scale: 1=20'	Date: JAN 1989
Drawn by: TS	Approved by: TM
Project No. E90-091	Drawing No. 4 of 4



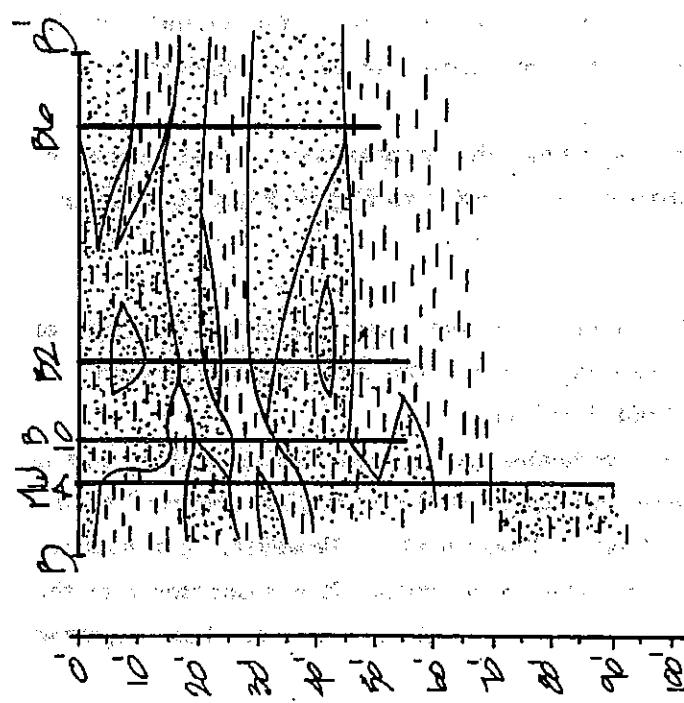
KRAZAN & ASSOCIATES, INC.

Fresno Visalia Bakersfield

CLEAR OVERLAY FOR FIG. 5



APPROXIMATE LIMITS
OR CONFINING LAYER
SOILS



KRAZAN & ASSOCIATES, INC.

Fresno Visalia Bakersfield



Scale:	1" = 20'	Date:	4-1-01
Drawn by:	JL	Approved by:	JL
Project No.	E33-011	Drawing No.	5 of 16
Comments:	OK		

✓
Page No. 22
Project No. E88-097

DISCUSSION OF FINDINGS

This investigation of the subject property has assessed the nature and approximate extent of petroleum constituents in the subsoils. Additionally, site specific groundwater data such as depth to groundwater, gradient, and the impact of petroleum products has been determined.

Subsoils

The extent of gasoline constituents in the subsoils appears to be limited to the northwest side of the tank backfilled excavation and its immediate vicinity. Additionally, petroleum constituents are found within 15 feet of groundwater, in several borings where no other significant concentrations exist in the upper soils. It is believed that this contamination is related.

Waste oil constituents are found in the subsoils in the vicinity of the waste oil tank. These petroleum constituents appear to be very limited in their lateral extent.

For further information regarding the approximate areal limits of petroleum constituents in the subsoils, please refer to Figure 3 and its overlay.

Groundwater

Groundwater beneath the subject property was found at a depth of approximately 72-74 feet below existing grade. The site specific groundwater gradient is towards the east at 0.008 feet/foot.

The extent of groundwater contamination related to this project site is unknown at this time, and is beyond the scope of the work plan approved by the Fresno County Environmental Health Department. However, groundwater contamination was found in all of our monitoring wells. It is suspected that the groundwater contamination related to the subject property has migrated off-site.

Two particular concerns regarding groundwater contaminant types below the project site were present. Concentrations of volatile organics (EPA 602/8015M) were present in all four of our monitoring wells. All detectable concentrations of these volatile constituents were well above the action levels established by the State of California Department of Health Services (DHS). In a

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monitoring well located near the waste oil tank a high concentration of 1,2-Dichloroethane was present above the State action levels. *Only MW analyzed for that constituent.*

All four monitoring wells produced groundwater samples which were analyzed for volatile organics by EPA Methods 602 and 8015M. Monitoring wells MW-A,B, and C all contained concentrations of benzene, toluene, ethylbenzene, and total xylenes that exceeded the State of California Department of Health Services (DHS) action levels of 0.7, 100, 680, and 620 parts per billion (ppb), respectively. These samples contained concentrations of these constituents up to 35000 ppb benzene, 44000 ppb toluene, 3300 ppb ethylbenzene, and 22000 ppb total xylenes. The sample obtained from monitoring well MW-D revealed concentrations of 6700 ppb benzene and 1300 ppb ethylbenzene.

Monitoring Well MW-D was sampled and also submitted for chemical analysis by EPA Method 601. The results of this analysis revealed 1,2-Dichloroethane to be present in a concentration of 920 ppb. This concentration is well above the 1 ppb action level established by the State of California DHS.

Ethylene dichloride (1,2-Dichloroethane) is a chlorinated halocarbon which is the largest volume organic derivative of chlorine. It is primarily used in the manufacture of vinyl chloride. The second most common use of this organic compound is as a lead scavenger in tetraethyl lead antiknock additives. Other uses include those associated with the manufacture of ethylenediamine, trichloroethylene, tetrachloroethylene, and 1,1,2-trichloroethane. 1,2-Dichloroethane is insoluble in water, but is soluble in most common solvents. Its specific gravity is greater than water. Its vapor pressure at temperatures equivalent to that of groundwater is 40-100 mm Hg.

LIMITATIONS

The findings of this report were based upon the results of field and laboratory investigations, coupled with the interpolation of subsurface conditions associated with our soil borings and groundwater monitoring wells. Also incorporated was the interpretation of previous investigations in the vicinity; therefore, the data are accurate only to the degree implied by review of the data obtained and by professional interpretation.

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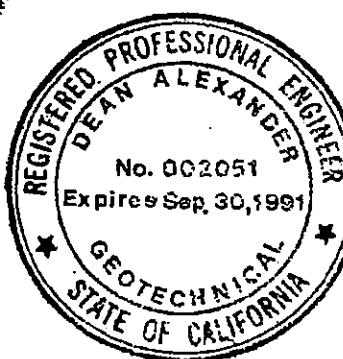
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Page No. 24
Project No. E88-097

Exploratory soil borings and groundwater monitoring wells were located in the field by review of available maps and by pacing or tape measurement from existing landmarks. Therefore, these should be considered accurate only to the degree implied by the methods used to locate them.

Chemical testing was done by laboratories approved by the State of California Department of Health Services. The results of the chemical testing are accurate only to the degree of the care of ensuring the testing accuracy and the representative nature of the soil samples obtained.

The findings presents herewith are based on professional interpretation using state of the art methods and equipment and a degree of conservatism deemed proper as of this report date. It is not warranted that such data cannot be superseded by future geotechnical, environmental, or technological developments.

If there are any questions or if we can be of further assistance, please do not hesitate to contact our office.



Respectfully submitted,
KRAZAN & ASSOCIATES

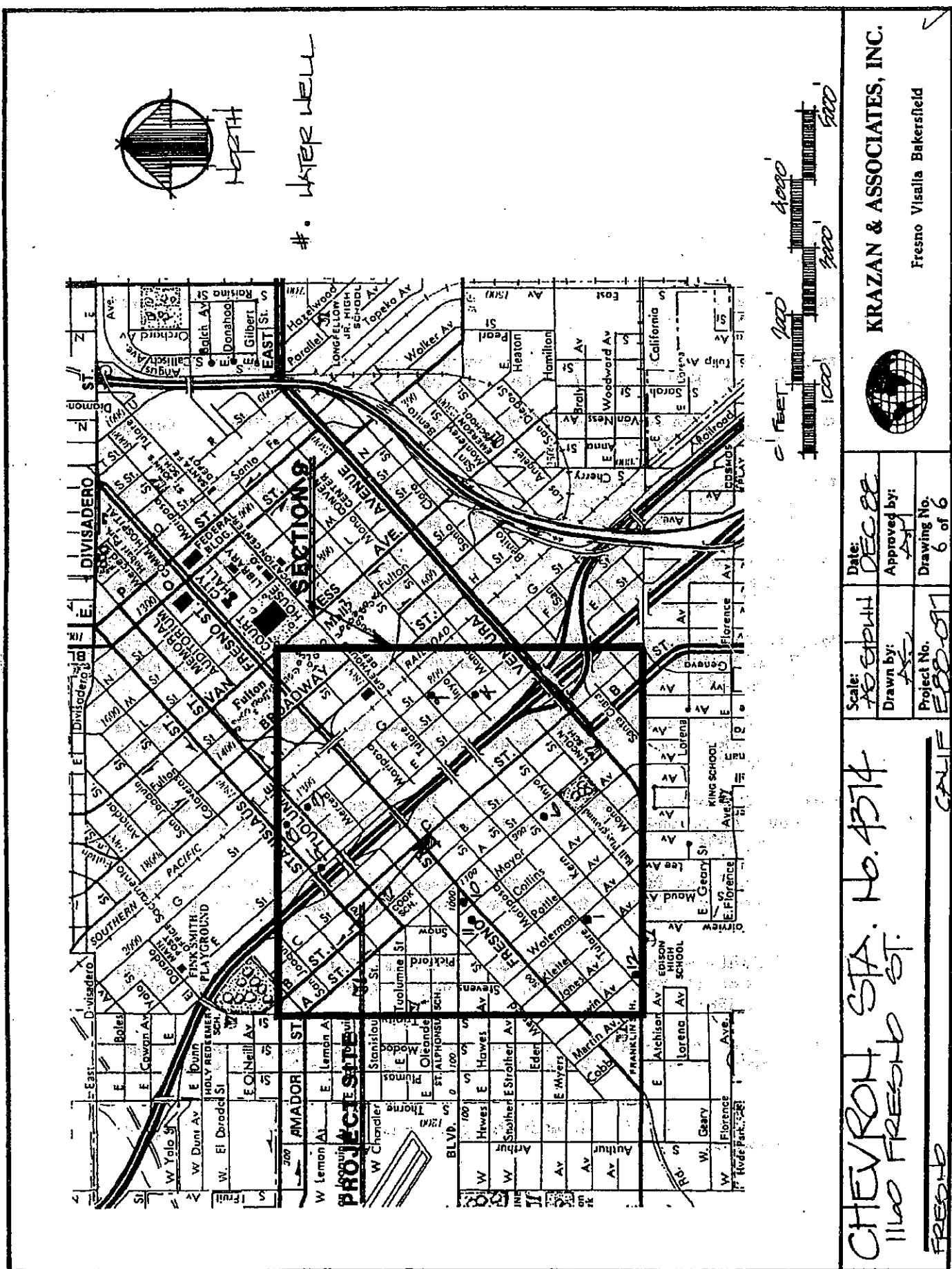
Robert A. Martin
Robert A. Martin
Project Geologist

Dean Alexander
Dean Alexander
Geotechnical Engineer
RGE #002051/RCE#34274

RAM/DA/Ic

2c herewith
2c Fresno County Environmental Health Department
Attn: Mr. Lance Leitch

KRAZAN & ASSOCIATES, INC.



RWQCB-FRESNO-040997

REFERENCES

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FRESNO COUNTY DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH SYSTEM
P.O. BOX 11867, FRESNO, CALIFORNIA 93775
TELEPHONE (209) 445-3271

PERMIT TO PERFORM SUBSURFACE SITE ASSESSMENT

Date 1/22/88

Approved Peggy Wilkinson

I.D. 86524 CT. 84

Fee _____

A. Permit to Perform Site Assessment of an Underground Storage Facility:

New Existing

REMOVED YOUR PROJECT NUMBER 588-097

Site Address 1160 FRESNO STREET City 21p

Facility Name CHEVRON STATION # 4374 APN 467-152-21

Owner/Operator CHEVRON USA ATTN: LISA MARINARO Phone _____

Mailing Address P.O. Box 5004 City SAN RAMON Zip 94583-0804

B. Contractor Information:

Company KRAZAN & Assoc. Contact Person TONY MARTIN Phone (209) 291-7335
Mailing Address 3860 North Winery City FRESNO Zip 93726
State Contractor License No. 499908 Class C-57

DESCRIBE TYPE OF WORK TO BE PERFORMED

INSTALL 4 GROUNDWATER MONITORING WELLS TO
85 FEET BELOW GRADE AND DRILL UP TO EIGHT
SOIL BORINGS TO A MAX. DEPTH OF 60 FEET;
AS PER OUR OCTOBER 26, 1988 WORK PLAN AND
OUR NOVEMBER 15, 1988 ADDENDUM.

I understand that any changes to the proposals, plans, design, materials or equipment, for which this permit is issued shall void it, unless prior approval has been obtained from this office. (Submit three (3) copies of Plans for review and approval.) Two working days (48 hours) advance notice required.

Signature & Title Robert A. Martin

PROJ.
GEOLOGIST

Date 1/21/88

Print Name Robert A. Martin

Phone (209) 291-7337

4890/vc

1/87



nww
a heidemij company

September 6, 1996 (recd 25 Sept 1996)
Project No. RC0042.015

Mr. Russell W. Walls
Regional Water Quality Control Board –
Central Valley Region
3614 East Ashlan Avenue
Fresno, California 93726

EXHIBIT 27

WIT:	Bauhs
DATE:	8/17/11
LOUISE SOUSOURES, CSR #3575	

SUBJECT: Site Redevelopment, Former Chevron Service Station #9-4374, 1160 Fresno Street, Fresno, California.

Dear Mr. Walls:

The purpose of this letter is to clarify the roles of the Regional Water Quality Control Board – Central Valley Region (CVRWQCB), the Fresno City Development Department (City), and the Fresno County Community Health Department (County) in the determination of developability for the above-referenced site.

The property is a former Chevron Products Company (Chevron) service station site, closed in 1988. Fuel released from underground fuel tanks has affected the soil and groundwater on and beneath this site. Geraghty & Miller, on behalf of Chevron, has performed soil-vapor extraction since 1992 as a means of remediating the soil and groundwater on this site.

Chevron is working towards preparing this property for sale and/or lease. Potential buyers have expressed an interest in the property's potential for developability. As described below, it appears that the CVRWQCB has primary say over the issue of developability. Specifically, Chevron requests concurrence from the CVRWQCB that the site is developable and that, if required by the CVRWQCB, guidance be prepared for a potential property buyer which will allow development of the property. The guidance for developability might address considerations relating to the clean-up activities occurring at the site.

In a July 30, 1996 telephone conversation between you and Steve Brussee of this office, you provided the names of agencies to contact for possible redevelopment guidelines.



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Contact has since been made with the City and the County. In brief, representatives of these agencies have deferred to the CVRWQCB for redevelopment determination and guidelines.

Specifically, in an August 2, 1996 telephone conversation between Jerry Freeman, a Supervising Planner with the City, and Steve Brussee, Mr. Freeman deferred to the CVRWQCB on redevelopment issues. In an August 21, 1996 telephone conversation between Richard Yee of the City and Steve Brussee, Mr. Yee provided clarification of the City's position on redevelopment, as follows:

- 1) Approval from the CVRWQCB for redevelopment will virtually assure that City requirements are met.
- 2) The City will be involved in any zoning or land-use issues, if redevelopment is proposed.
- 3) Because the property is within the downtown Fresno City redevelopment limits, active involvement of the City in any redevelopment proposal could be expected.
- 4) The City would like to be cc'd on all correspondence regarding redevelopment, to the attention of Alvin Solis.

Likewise, the County was contacted for input on the developability of this property. A telephone voicemail message left for Steve Brussee by Ms. Lynn Klinkby of the County stated the following:

- 1) The County is "out of the loop" on redevelopment criteria for this property.
- 2) All concerns for redevelopment of this property are to be directed to you at the CVRWQCB.
- 3) The City of Fresno should be involved in any land-use issues.
- 4) The County has no direct involvement in redevelopment concerns, but wishes to remain informed by cc's on all correspondence regarding redevelopment issues, treatment issues, and site-closure issues.

In summary, it is Geraghty & Miller's understanding that

- 1) the CVRWQCB is to be the lead agency for the determination of developability,

Project No. RC0042.015



GERAGHTY & MILLER, INC.

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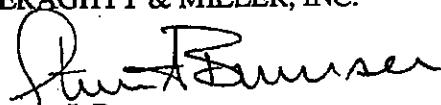
- 2) the City is to remain informed about any plans for development and may assist in aspects of redevelopment pertaining to land use and/or zoning issues, and
- 3) the County does not care to be involved in determining the developability of this site.

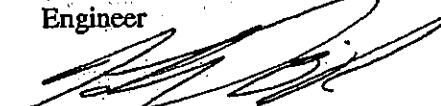
Based on the above, it is Geraghty & Miller's understanding that determining the details of the requirements for developability should be conducted with the CVRWQCB.

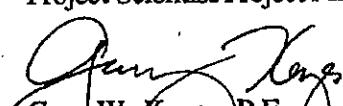
If the position of the CVRWQCB is not in concurrence with the stated positions of the City and County, please advise us in writing.

Geraghty & Miller appreciates your cooperation in this matter. If you have any questions, please call the undersigned at (510) 233-3200.

Sincerely,
GERAGHTY & MILLER, INC.


Steven J. Brussee
Engineer


Kent O'Brien
Project Scientist/Project Manager


Gary W. Keyes, P.E.
Principal Engineer/Associate
San Francisco Regional Manager

cc: Jim Armstrong, Fresno County Community Health Dept.
David Pomaville, Fresno County Community Health Dept.
Lynn Klinkby, Fresno County Community Health Dept.
Jerry Freeman, Fresno City Development Dept.
Alvin Solis, Fresno City Development Dept.
Richard Yee, Fresno City Development Dept.
John Noonan, Regional Water Quality Control Board – Central Valley Region
Bob Cochran, Chevron Products Company

Project No. RC0042.015





**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

3614 East Ashlan Ave
Fresno, CA 93726-3533

Internet www.swrcb.ca.gov/~rwqcb5/rwqcb5.htm

Phone (209) 445-5116
FAX (209) 455-5910

Pete Wilson, Governor



10 July 1997

Mr. A. E. Perez
Shell Oil Products Company
P.O. Box 4023
Concord, CA 94524

PERMISSION TO INSTALL A GROUNDWATER MONITORING WELL AT THE FRESNO AND C STREET SHELL STATION IN FRESNO, FRESNO COUNTY

We trust you are aware of an ongoing investigation and remediation of petroleum hydrocarbons at the former Chevron Station No. 9-4374, 1160 Fresno Street in Fresno. Significant amounts of gasoline have been extracted from the vadose zone at the site. High concentrations of petroleum constituents occur in groundwater. Data from remediation and groundwater monitoring activities associated with the Chevron station indicate that impacted groundwater extends under the Shell Oil Products Company (Shell) station at 1212 Fresno Street. To define the extent of this impact and improve the efficiency of the Chevron station's remediation system requires collection of a groundwater sample, or samples, from beneath the Shell facility. According to our case file, Chevron U.S.A. Products Company (Chevron) requested access to install a monitoring well at the site, in a 15 December 1995 letter to your company. The request was denied in Shell's 20 December 1995 response letter. It is our understanding that you will not allow access to your site unless the need for the work is required by us. This letter is to inform you that Chevron does need access to your site.

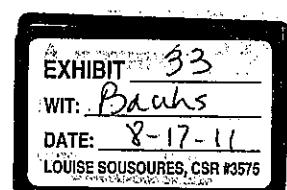
We want you to know that we are in complete agreement with Chevron's proposal to install a well on your property. Please reconsider your denial of Chevron's site access request and allow Chevron to implement the work. Thank you for your kind attention to this matter. Please send your response by 14 August 1997. We await your reply.

If you have any questions regarding this matter, please contact Ray Bruun at (209) 445-5504.

JOHN M. NOONAN
Senior Engineer
RCE No. 35206

RB:rb

cc: Mr. Jim Armstrong, Fresno County Environmental Health System, Fresno
Mr. R. J. Cochran, Chevron U.S.A. Products Company, San Ramon



Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

062097A.LTR

RWQCB-FRESNO-039756



California Regional Water Quality Control Board

Central Valley Region

FILE



Gray Davis
Governor

Jinston H. Hickox
Secretary for
Environmental
Protection

Fresno Branch Office
Internet Address: <http://www.swrcb.ca.gov/~rwqcb5>
3614 East Ashlan Avenue, Fresno, California 93726
Phone (559) 445-5116 • FAX (559) 445-5910

12 October 1999

Mr. R. J. Cochran
Chevron Products Company
P.O. Box 6004
Fresno CA 94583
San Ramon

COMMENT ON WORK PLAN, FORMER CHEVRON STATION 9-4374, 1160 FRESNO STREET, FRESNO COUNTY

We reviewed the *Work Plan for Soil Borings and Monitoring Wells*, dated 22 April 1999, which was prepared by Gettler-Ryan, Inc. on behalf of Mr. R. J. Cochran of Chevron USA Products Company (Chevron). Our comments are presented below following a presentation of background information regarding previous site activities.

Site Background Information

The following background information was excerpted from a 15 August 1997 *Site-Specific Health Risk Assessment* for the subject site prepared by Geraghty & Miller, Inc. for Chevron.

"In 1988, the service station was demolished; this demolition included the removal of all above- and below-ground structures, including all surface asphaltic- and Portland cement-concrete. Two 10,000-gallon and one 5,000-gallon underground gasoline storage tanks and one 500-gallon underground waste-oil tank were removed and surrounding soil was excavated.

Between September 1988 and December 1988, Krahan & Associates installed groundwater Monitoring Wells MW-A, MW-B, MW-C, and MW-D onsite. In August 1989, RMX Engineering and Construction of Sacramento, California, installed a groundwater extraction and treatment system (pump and treat). The effectiveness of the pump-and-treat system was reportedly limited by low extraction flow rates, small radii of influence, and silt infiltration of the wells. Pump-and-treat system operation ceased in August 1992.

Geraghty & Miller evaluated the remediation approach for the site in October 1992. Geraghty & Miller installed groundwater Monitoring Wells MW-E, MW-F, and MW-G in October 1992; groundwater Monitoring Wells MW-H and MW-I and Vapor Extraction Wells VW-1, VW-2S, and VW-2D in December 1993; and groundwater Monitoring Wells MW-K, MW-L, MW-M, MW-N, and MW-O in February 1994.

California Environmental Protection Agency

Recycled Paper

EXHIBIT 42
WIT: Bauchs
DATE: 8/17/11
LOUISE SOUSOURES, CSR #3575

Mr. Robert Cochran

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12 October 1999

From 1994 to 1996, Geraghty & Miller operated an SVE and thermal oxidation abatement system at the site, resulting in the destruction of an estimated 291,500 pounds of petroleum hydrocarbons."

Up to 15 groundwater monitoring wells were sampled on a quarterly schedule from May 1991 to May 1997; semi-annual monitoring has been conducted since October 1997. Product sheen or free-phase product was observed in wells MW-B, MW-C, and/or MW-D from late 1989 to mid-1991. Maximum historical BTEX and TPH-g concentrations at the site are 67000 µg/L and 670000 µg/L, respectively.

Between July 1996 and October 1998, MTBE was detected one or more times in groundwater samples from wells MW-E, MW-F, MW-G, MW-H, MW-L, MW-M, and MW-N which were analyzed using EPA Method 8020. The maximum historical MTBE concentration is 2900 µg/L (MW-N). This detection of MTBE was not confirmed by GC/MS methods. The presence of MTBE has not been confirmed in any of the four sampling events between October 1996 and April 1998 in which one or more samples were analyzed by GC/MS Methods 8240 or 8260.

Ethylene dibromide (EDB), 1,2-dichloroethane (1,2-DCA) and methylene chloride were detected in Chevron groundwater monitoring wells at maximum concentrations of up to 230, 3400 µg/L and 150 µg/L, respectively, based on a review of historical analytical data. EDB and 1,2-DCA were regularly analyzed during quarterly groundwater monitoring events from December 1991 to October 1994, but have not been analyzed since then. At the time of the October 1994 groundwater monitoring well sampling, maximum concentrations of EDB and 1,2-DCA were 180 µg/L and 3400 µg/L, respectively. The maximum 1,2-DCA concentration was detected in monitoring well MW-G, where it represented an increasing trend at the time of the last analysis for this constituent.

Monitoring wells MW-E through MW-O were analyzed for the fuel oxygenates ethanol, tertiary butyl alcohol (TBA), di-isopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), and tertiary amyl methyl ether (TAME) in April 1998. Results were nondetected for all wells. However, detection limits ranged up to 25000 µg/L and 5000 µg/L for ethanol and TBA, respectively; detection limits ranged up to 100 µg/L each for DIPE, ETBE, and TAME.

Review of analytical data also shows that groundwater samples from the site or vicinity monitoring wells have not been analyzed for total lead.

Work Plan Background

The 22 April 1999 work plan represents the last of multiple iterations of an 18 September 1995 *Work Plan for Additional Off-Site Soil and Groundwater Assessment*. The 18 September 1995 work plan proposed to construct three additional monitoring wells across Fresno and/or "C" Streets from the Chevron site. The wells were proposed to be in Fresno City right-of-way areas (sidewalks) to the northwest (MW-R), north (MW-Q), and northeast (MW-P) of the Chevron site. Proposed well MW-P was planned adjacent to the Shell Service Station that Chevron has contended is a possible source for a portion of the petroleum hydrocarbons detected in Chevron's monitoring well network.

Based on 26 October 1995 comments from the Regional Board to the 18 September 1995 work plan, Geraghty & Miller submitted a 22 November 1995 addendum. The addendum addressed Regional Board concerns that the extent of groundwater contamination had not been defined in any direction, and that more than the three proposed wells would be required. The addendum shifted the well proposed to

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be off-site adjacent to the Shell station to on-site at the Shell station. One proposed additional well off-site and to the south of the former Chevron site was added, and the positions for the two remaining proposed wells were modified to be in street areas, not sidewalks. The Regional Board approved this modified work plan in a 26 December 1995 letter.

Shell Oil Company declined access to their property for the proposed well installation in a 20 December 1995 letter to Chevron. In a 26 April 1996 letter, the owners of the proposed well site south of the Chevron site also declined access.

In a 3 September 1996 letter, Geraghty & Miller requested the Regional Board's assistance in gaining access to the Shell property for monitoring well installation. Based on hydrocarbon removal rates from the SVE system at the former Chevron site that were not diminishing in an expected fashion, Geraghty & Miller contended that the adjacent Shell station must be a source for part of the hydrocarbons removed by vapor extraction wells on the Chevron site. Geraghty & Miller also provided analytical evidence in support of their contention.

At the request of Chevron, Gettler-Ryan provided a 5 January 1998 work plan to install three groundwater monitoring wells on the adjacent Shell station site. A 6 May 1998 response letter from Shell Oil Products Company again denied site access and suggested boreholes at the property line would be sufficient to indicate the possible migration of hydrocarbons from one site to the other. The letter stated that based on initial results, Shell would reconsider the proposal for well installation on their property.

At the request of Chevron, Gettler-Ryan provided the subject 22 April 1999 *Work Plan for Soil Borings and Monitoring Wells*. This plan eliminates any of the earlier proposed work on private property, restricting activity to the former Chevron site and public right-of-ways. The scope of this work plan is outlined below.

The 22 April 1999 work plan proposes three main tasks. These tasks are:

1. Drill and sample two onsite borings to further evaluate residual petroleum hydrocarbons in soil beneath the former Chevron site. One boring is planned immediately adjacent to vapor extraction well VW-1 and the other is planned at the former west dispenser location. The borings will be drilled to a minimum depth of 30 feet and will be terminated after three consecutive nondetect photo-ionization readings.
2. Install two groundwater monitoring wells in the vicinity of Fresno City Water Division municipal supply wells that are potentially located hydraulically downgradient from the former Chevron site. The monitoring wells will be constructed of 2-inch diameter PVC with 25 feet of screen from 70 to 95 feet below ground surface (bgs).
3. Install one groundwater monitoring well in the sidewalk adjacent to the Shell service station to evaluate dissolved hydrocarbon and oxygenate concentrations in groundwater across "C" Street from the former Chevron site. Well construction will be similar to that noted in Task 2 above.

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Work Plan CommentsOnsite Borings

The work plan states the two on-site soil borings will "further evaluate residual hydrocarbon concentrations in the soil beneath the subject site". To determine what hydrocarbon concentrations were originally present in the subject site soils, we reviewed the 31 March 1994 *Supplemental Site Assessment Report* prepared by Geraghty & Miller. Figure 2 (attached) is a cross section from that report onto which the two borings proposed by Gettler-Ryan have been placed in their relative positions. Figure 1 is a plan map of the proposed boring and monitoring well locations with the line of cross section shown.

Review of the analytical data from previous exploratory or monitoring well borings (Figure 2) shows that hydrocarbons are not anticipated to exist in the upper 30 feet of the soil profile in the vicinity of the proposed boreholes. Previous investigations did not detect hydrocarbons until depths of 40 to 60 feet bgs in these areas. Compared with the proposed boring locations, hydrocarbons are more prevalent over a larger vertical soil profile at the location of well MW-E, or are present at higher concentrations at well MW-G. If part of the purpose of the proposed borings is to determine residual soil hydrocarbon concentrations after soil vapor extraction at the site, proposed boring locations in the vicinity of MW-E and MW-G would appear more appropriate. In light of the above discussion, the purpose of the proposed borings is unclear; therefore, we feel *drilling at these locations is not justified*.

Monitoring Wells Near Municipal Well Sites

The 22 April 1999 work plan also proposes to drill a monitoring well in the vicinity of each of the two nearest active municipal supply wells. Data from the 20 September 1999 *Well Search for Former Chevron Service Station #9-4374* by Gettler-Ryan shows that the screened intervals for the well to the north and the well to the southwest of the subject site start at 200 feet bgs and 230 feet bgs, respectively. The recorded depth of the sanitary seal for the northern well is 52 feet. A seal does not exist at the southwestern well.

Neither municipal supply well is sealed below the present water table. If contamination were present in the upper aquifer at the municipal well site it could be quickly drawn downward along the well pack material and enter the supply well. The fact that the proposed monitoring wells are located very close to the supply wells does not allow any warning time which the monitoring wells might provide if they were located between, and closer to, a potential source of contamination and the supply wells.

In addition, the screening of the proposed monitoring wells only allows detection of potential contaminants near the water table surface. If a contaminant (e.g. MTBE) is carried downward through the aquifer as it migrates away from its source, a well located some distance from the source and screened in the uppermost aquifer may not detect the contaminant migration.

Based on the above discussion, we do not see the utility of the proposed monitoring wells located near the municipal supply wells and do not agree to their installation.

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Monitoring Well Adjacent to the Shell Service Station

The proposed well location is appropriate to help determine the potential for hydrocarbons in groundwater to be sourced at the Shell service station site. This determination will be based on comparison of new well analytical data and analytical data from wells MW-G and MW-N. The Regional Board approves the proposed well installation at the west corner of the Shell station.

It may also be appropriate to install an additional well adjacent to the Shell site immediately southwest of the western Shell dispenser island, north of existing monitoring well MW-O. The Board pre-approves the installation of additional, similarly designed well(s) on the east side of "C" Street (adjacent to the Shell station) during the proposed work activity. Prior to 31 January 2000, please provide a report summarizing the results of the proposed work activities.

Comments Regarding the Remediation System

We received one series of data pages with an 11 March 1995 cover letter summarizing operation of the soil vapor extraction system at the Chevron site during its early period of operation (May 1994 to January 1995). Cumulative mass removal through January 1995 was stated as 105,761 pounds of gasoline (quantified as VOCs). The above site background summary by Geraghty & Miller states that a total of 291,500 pounds of hydrocarbons have been removed from the former Chevron site by vapor extraction. We sent you a letter dated 2 November 1998 requesting submittal of an additional report documenting and summarizing operation of the soil vapor extraction system subsequent to the dates covered in the initial data pages. We have not yet received this report. Prior to 14 December 1999, please provide an updated soil remediation summary report covering all dates of operation. At a minimum the report should include:

1. Tabulated data regarding vapor extraction rates and concentrations at each well, and calculated cumulative mass of removed hydrocarbons in sufficient detail so that confirmation calculations may be generated.
2. Graphs showing time series trends of influent concentrations and cumulative mass removed.
3. Dates of remediation system operation including periods of non-operation and an explanation for system down-time.
4. Data regarding the vacuum measured at each wellhead during the pilot test and initial remediation system startup and any subsequent measurements so that the area of influence of the extraction system during testing and during long-term operation may be determined.
5. A narrative description of activities associated with remediation system operation during the period covered by the report.

This Board was not supportive of Chevron's decision to shut down the vapor extraction system in 1996. System shut down occurred while a significant amount of hydrocarbons continued to be removed from the subsurface. Chevron's decision to cease remediation activity was based on its assertion that the vapor extraction system was entraining an off-site, non-Chevron hydrocarbon source. Information received to date only weakly supports Chevron's contention that a non-Chevron related source of

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petroleum hydrocarbons exists in the immediate vicinity of the former Chevron site. A major detractor from the plausibility of a non-Chevron source is the lack of confirmed (GC/MS) detection of MTBE in groundwater. MTBE has only been detected by GC methods in samples that are heavily impacted by other petroleum hydrocarbons. False positives are common under these conditions. Only confirmation of the presence of MTBE in groundwater or in soil vapor below the site by GC/MS methods will allow us to concur that there is a non-Chevron source of gasoline.

Chevron has had the opportunity to demonstrate this off-site impact through additional well installation and sampling, starting with the submittal of the 18 September 1995 *Work Plan for Additional Off-Site Soil and Groundwater Assessment*. Chevron made the decision to move a proposed well from the public right-of-way onto the private property of the suspected off-site source. The subsequent denials for off-site well installation, and associated delays in work plan implementation, would likely have been avoided by adhering to the originally proposed work plan. Therefore, it is the Board's opinion that sufficient time has passed for Chevron to demonstrate the existence of an off-site source. Significant quantities of recalcitrant pollutants have reached groundwater from the former Chevron facility and continue to do so. Prior to 14 December 1999, please provide a work plan regarding how you will resume soil remediation activities at the former Chevron site and a reasonable, if not aggressive, time frame for implementation. With submittal of the requested remediation system monitoring information, and the results of implementation of the 22 April 1999 work plan, the Board will be able to make a more informed decision as to the potential for influence by possible off-site sources, and whether continued remediation, in the manner conducted previously, is appropriate at the former Chevron site.

Additional Comments

All proposed groundwater samples and soil samples must include analysis for 1,2-DCA, EDB, total lead, MTBE, TAME, DIPE, ETBE, TBA, ethanol and methanol. If it can be demonstrated that lead is not present at the site, testing for this constituent can be stopped. If MTBE, TAME, DIPE, ETBE, TBA, ethanol or methanol are detected by EPA Methods 8020 or 8021, their presence must be confirmed by GC/MS (EPA Method 8260). Once the presence of MTBE, TAME, DIPE, ETBE, TBA, ethanol or methanol are confirmed, EPA Methods 8020 or 8021 may be used again. If it can be demonstrated that TAME, DIPE, ETBE, TBA, ethanol and methanol are not present at the site, you may submit a proposal for reducing the frequency of analysis for these constituents.

Analysis of all groundwater samples for EDB and 1,2-DCA should be resumed with the next scheduled groundwater monitoring event. A proposal for reducing the frequency of EDB and 1,2-DCA analyses may be submitted once the current extent and concentrations of these constituents have been established.

In addition, we require that you sample for general minerals, nitrate, and total Kjeldahl nitrogen (TKN) during two nonconsecutive quarterly sampling events (minimum of six months between sampling events). It is not necessary to sample all monitoring wells for these constituents during these sampling events; a minimum of three wells should be sufficient, and must include an upgradient well.

Investigation-derived waste (both soil and groundwater) must be self-certified by the generator as hazardous or not hazardous. Investigation-derived waste must be handled and stored according to appropriate regulations and disposed or recycled at a properly permitted facility. Air emissions from any waste must be kept below the maximum allowed by the local air pollution control district with jurisdiction over the project site. The mass and disposition of fuel constituents removed from the subsurface during investigation or remediation must be estimated and reported.

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Our records indicate that Chevron USA Products Company is the "primary or active" responsible party for the subject site. Under the new "landowner notification" of Health and Safety Code, Section 25297.37.2 (copy enclosed), all current record owners of fee title to the site are required to be notified of your proposed actions relating to investigation, cleanup, and closure of this site.

Prior to 15 November 1999, please provide us with a complete mailing list of all record fee title owners. You are to certify in writing that the list is complete and contains the names and addresses of all record fee title owners. If you are the only record fee title owner, please so state in your certified list of record fee title owners. You shall copy all future correspondence to us regarding this site to the record fee title owners and they shall be encouraged to comment on your proposed actions to cleanup and close this site. Also, if ownership of fee title to the site changes prior to closure, you shall within 30 days of recording a change in ownership provide to this office, in writing, a complete mailing list of all new record fee title owners and certify that it is complete.

Should you have any questions regarding this matter, please contact Mr. Bruce Myers of this office at (559) 445-5504.

Bruce E. Myers

BRUCE E. MYERS
Associate Engineering Geologist
CEG No. 2102

enclosures

cc: w/ enclosures

Mr. Paul Mennucci, Fresno

Mr. Frank Volanti, Fresno

Mr. Rick Fears, Gettler-Ryan, Inc., Rancho Cordova, CA

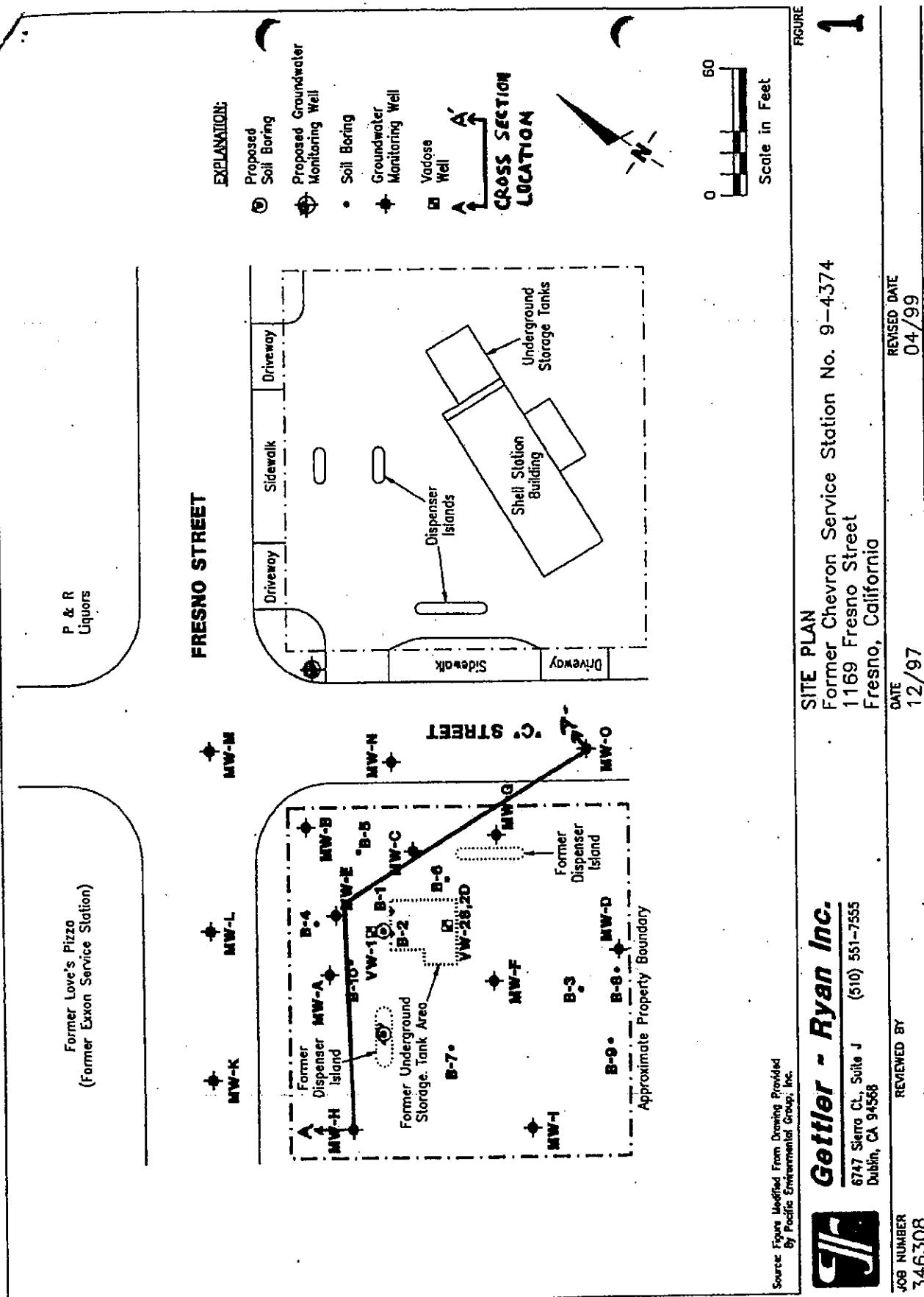
Mr. G. Thomas Caswell, Jr., Caswell, Bell, Hillison, Burnside & Greer LLP, Fresno

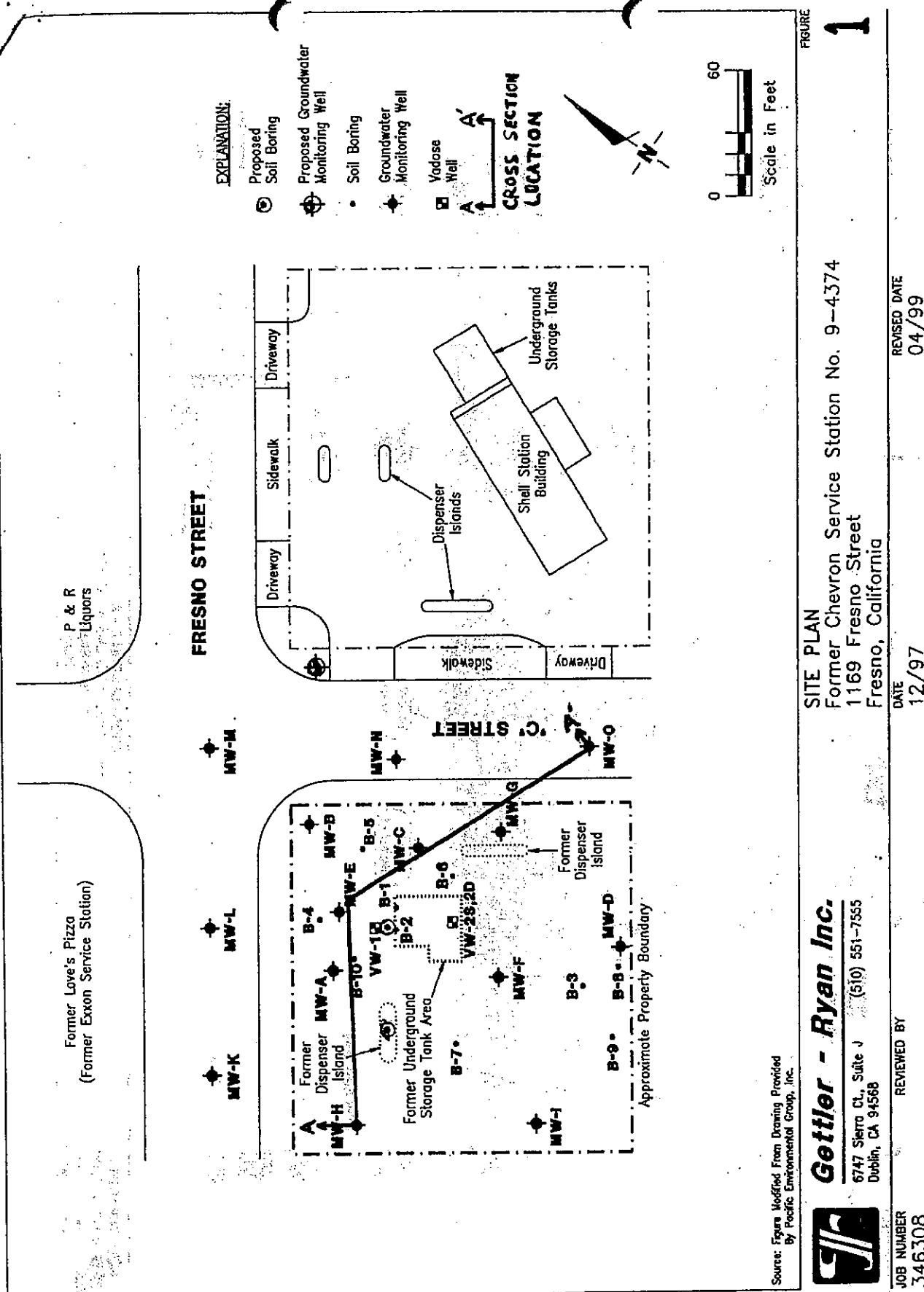
cc: w/o enclosures

Mr. Jim Armstrong, Fresno County Environmental Health System, Fresno

Mr. Jerry Freeman, City of Fresno Development Department, Fresno

Mr. Dean Peterson, DK Engineering, Burlingame, CA

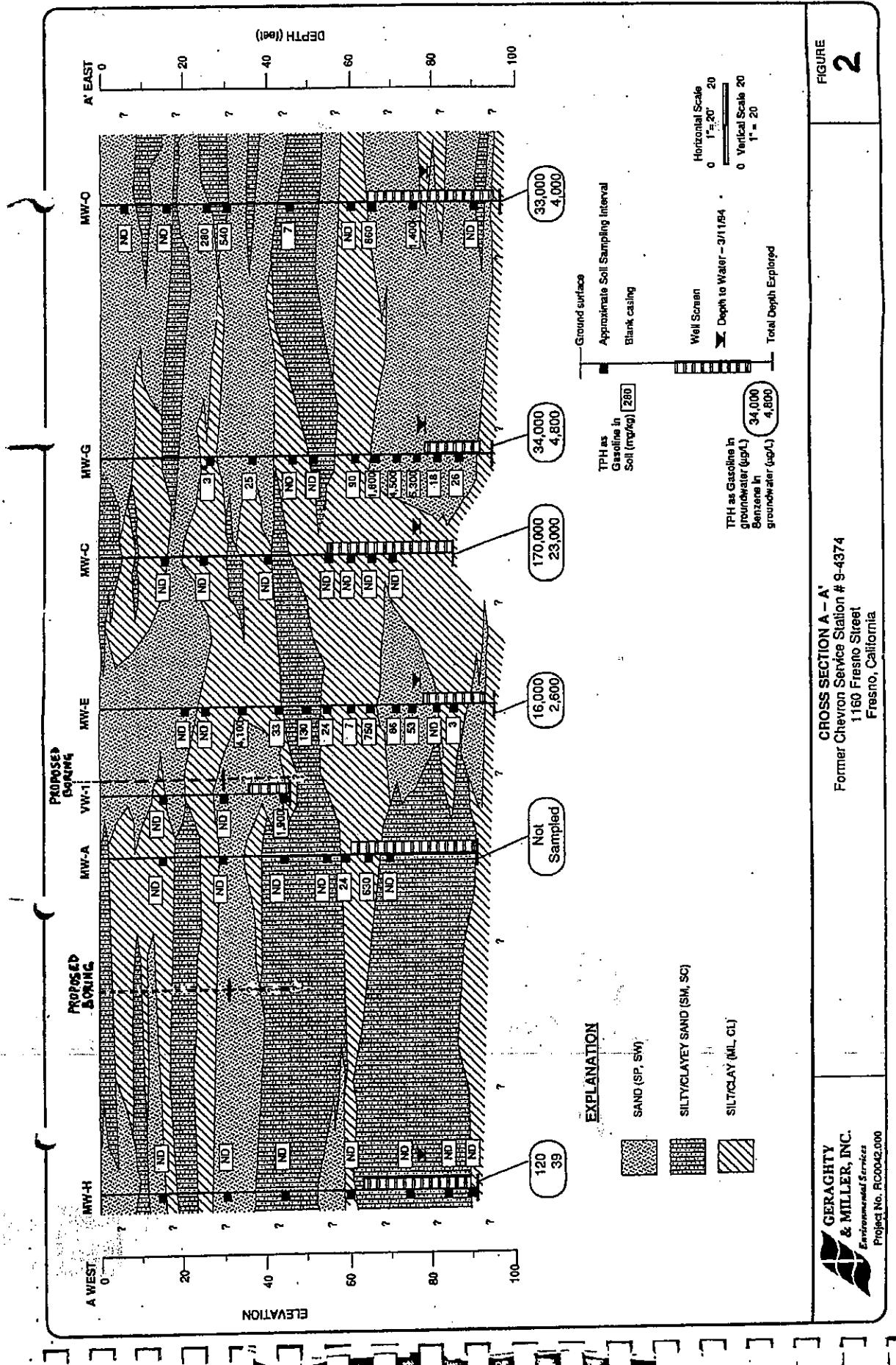




Source: Figure Modified From Drawing Provided By Pacific Environmental Group, Inc.

Gettler - Ryan Inc.
6747 Sierra Ct., Suite J
Dublin, CA 94568
(510) 551-7555

RWQCB-FRESNO-039689



BILL NUMBER: AB 681 CHAPTERED
BILL TEXT

CHAPTER 295
FILED WITH SECRETARY OF STATE AUGUST 4, 1998
APPROVED BY GOVERNOR AUGUST 3, 1998
PASSED THE ASSEMBLY JULY 20, 1998
PASSED THE SENATE JULY 9, 1998
AMENDED IN SENATE JUNE 23, 1998
AMENDED IN SENATE JUNE 10, 1998
AMENDED IN ASSEMBLY JANUARY 13, 1998
AMENDED IN ASSEMBLY JANUARY 6, 1998
AMENDED IN ASSEMBLY MAY 23, 1997
AMENDED IN ASSEMBLY APRIL 16, 1997

INTRODUCED BY Assembly Member Machado

FEBRUARY 26, 1997

An act to add Sections 25297.15, 25299.37.2, and 25355.8 to the Health and Safety Code, and to add Section 13307.1 to the Water Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 681, Machado. Environmental remediation: closure.
(1) Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act, requires the Department of Toxic Substances Control or a California regional water quality control board to prepare or approve remedial action plans, which specify, among other things, removal and remedial actions selected for the cleanup of all hazardous substance release sites identified and categorized pursuant to a specified procedure. The department and the State Water Resources Control Board are required to concurrently establish consistent policies and procedures to be used by each agency in overseeing the investigation and taking of removal and remedial actions at hazardous substance release sites, in the case of the department, and in overseeing the investigation of, and cleaning up or abating the effects of, discharges of a hazardous substance, in the case of the state board.

Under existing law, the state board is authorized to develop and implement a local oversight program for the abatement of, and oversight of the abatement of, unauthorized releases of hazardous substances from underground storage tanks by local agencies.

Existing law specifies procedures for the taking of corrective action to unauthorized releases of petroleum from underground storage tanks.

This bill would prohibit considering cleanup or site closure proposals from the primary or active responsible party or discharger, as the case may be, the issuance of a closure letter, or a determination that no further action is required by a local agency with respect to an unauthorized release of hazardous substances from an underground storage tank, a local agency, a regional board, or the state board with regard to an unauthorized release of petroleum from an underground storage tank, or the state board or a regional board with respect to a site subject to a cleanup or abatement order, unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the local agency, state board, or regional board, as the case may be.

The bill would require the above described entities to take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup or site closure process and to consider all input and recommendations from any responsible landowner wishing

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to participate.

The bill would prohibit the department, upon receiving a specified request, from overseeing the preparation of, or reviewing, a preliminary endangerment assessment for property if action may be necessary to address a release or threatened release of a hazardous substance and from issuing a letter stating that no further action is necessary with regard to property unless the person requesting department action provides the department with specified information.

The bill would prescribe related matters.

Since the bill would require local agencies to take specified actions with regard to unauthorized releases, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25297.15 is added to the Health and Safety Code, to read:

25297.15. (a) (1) The local agency shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party.

(2) Notwithstanding subdivision (g) of Section 25297.1, the local agency shall also notify the primary or active responsible party of their responsibility under this subdivision.

(3) The primary or active responsible party shall certify to the local agency in writing that the notification requirement in this subdivision has been met and provide a complete mailing list of all record fee title owners to the local agency.

(b) The local agency shall take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup or site closure process and shall consider all input and recommendations from any responsible landowner wishing to participate.

SEC. 2. Section 25299.37.2 is added to the Health and Safety Code, to read:

25299.37.2. (a) The local agency, the board, or a regional board shall not consider corrective action or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further corrective action is required with respect to a site upon which there was an unauthorized release of petroleum from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the local agency, board, or regional board.

(b) The local agency, board, or regional board shall take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup or site closure process and shall consider all input and recommendations from any responsible landowner wishing to participate.

SEC. 3. Section 25355.8 is added to the Health and Safety Code, to read:

25355.8. (a) The department shall not agree to oversee the preparation of, or to review, a preliminary endangerment assessment for property if action is, or may be, necessary to address a release.

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or threatened release of a hazardous substance, and the department shall not issue a letter stating that no further action is necessary with regard to property, unless the person requesting the department action does either of the following:

(1) Provides the department with all of the following:

(A) Proof of the identity of all current record owners of fee title to the property and their mailing addresses.

(B) Written evidence that the owners of record have been sent a notice that describes the actions completed or proposed by the requesting person.

(C) An acknowledgment of the receipt of the notice required in subparagraph (B), from the property owners or proof that the requesting person has made reasonable efforts to deliver the notice to the property owner and was unable to do so.

(2) Proof of the identity of all current record owners of fee title to the property and proof that the requesting person has made reasonable efforts to locate the property owners and was unable to do so.

(b) The department shall take all reasonable steps necessary to accommodate property owner participation in the site remediation process and shall consider all input and recommendations received from the owner of property which is the subject of the proposed action.

(c) This section only applies to instances where a person requests the department to oversee the preparation of, or to review, a preliminary endangerment assessment, or requests the department to issue a letter stating that no further action is necessary with regard to property. Nothing in this section imposes a condition upon, limits, or impacts in any way, the department's authority to compel any potentially responsible party to take any action in response to a release or threatened release of a hazardous substance or to recover costs incurred from any potentially responsible party.

SEC. 4. Section 13307.1 is added to the Water Code, to read:

13307.1. (a) The state board and the regional boards shall not consider cleanup or site closure proposals from the primary or active responsible discharger, issue a closure letter, or make a determination that no further action is required with respect to a site subject to a cleanup or abatement order pursuant to Section 13304, unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the state board or regional board.

(b) The state board and regional boards shall take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup or site closure process and shall consider all input and recommendations from any responsible landowner wishing to participate.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIIIIS of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

6/28/98

FILE
PETER WILSON, Governor

STATE OF CALIFORNIA



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL VALLEY REGION**

SAN JOAQUIN WATERSHED BRANCH OFFICE:
3614 EAST ASHLAN AVENUE
FRESNO, CA 93726
PHONE: (209) 445-5116
FAX: (209) 445-5910

6 May 1993

Ms. Lucia Chou
Chevron U.S.A. Products Company
P.O. Box 5004
San Ramon, CA 94583-0804

REPORT NO. 93-11-61

ENGINEER Rex

DUE DATE 6/1/93

INFORMATION REC'D ADEQUATE

INFORMATION REC'D NOT ADEQUATE

OTHER _____

APPROVED BY _____

DATE _____

**UNDERGROUND TANK LEAK AT FORMER CHEVRON SS #9-4374, 1160 FRESNO STREET, FRESNO,
FRESNO COUNTY**

Your Scope of Work for Soil and Ground Water Assessment and Remediation Evaluation, dated 15 June 1992 and prepared by Geraghty & Miller, Inc., was reviewed and verbally approved on 3 September 1992. However, your report has not been received. As we note herein, we expect the report, a proposal for continuing work, and regular monitoring reports.

The scope of work proposed installation of two monitoring wells (MWs) with the option to install a third MW depending on field results. The soil borings for the MWs will be used to determine if soils to the south of the former underground tank area have been degraded by petroleum constituents. Soil samples will be collected at five-foot intervals and selected samples will be analyzed for total petroleum hydrocarbons as gasoline (TPH-gasoline) and EPA Test Method 8020 constituents (BTEX).

The MWs will be constructed of two-inch diameter PVC pipe and will be screened 15 feet below the water table and 10 feet above the water table. Geraghty & Miller plan to use the new MWs in a vapor extraction system. Ground water samples will be analyzed for TPH-gasoline, ethylene dibromide (EDB), and EPA Test Method 8240 constituents.

A vapor extraction pilot test will be conducted in one of the newly installed MWs. One air sample will be collected and analyzed for total volatile hydrocarbons, BTEX, organic lead, carbon dioxide, methane, nitrogen, and oxygen. Geraghty & Miller will evaluate the pilot test results and confirm the economic appropriateness of soil vapor extraction for the site. If a vapor extraction system is appropriate, Geraghty & Miller will design a system under this scope of work.

Geraghty & Miller will also evaluate the existing ground water extraction and treatment system and provide recommendations for enhancing the effectiveness of the system. Lastly, Geraghty & Miller will prepare a report summarizing the results of the investigation. The report will include a soil and ground water remediation work plan for implementing the vapor extraction system, if appropriate, and enhancing the ground water treatment system, as necessary.

APPROVED

author	<u>RWW 5/13/93</u>
senior	<u>JMN 5/12/93</u>

EXHIBIT	19
WIT:	<u>Banks</u>
DATE:	<u>8-17-91</u>
LOUISE SOUSOURES, CSR #3575	

Ms. Lucia Chou

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6 May 1993

On 3 September 1992, Russell Walls of this office spoke to Geraghty & Miller by telephone and informed them that they could proceed with implementation of their proposal. Mr. Walls also informed Geraghty & Miller during the telephone call that he was not aware of evidence to support Geraghty & Miller's statement in the scope of work that off-site investigation should be a cooperative effort between Chevron, Shell, and Exxon. Shell has not had a discharge, to our knowledge, and Currie Brothers, Inc. (Exxon) was requested in an 8 February 1993 letter to investigate the extent of soil and possibly ground water degradation at its site. If, at some point, it is conclusively shown that ground water degradation is originating from sources in addition to Chevron, we will require the responsible parties for the additional sources, as well as Chevron, to investigate and remediate ground water.

Your letter of 23 September 1992 indicated that the start date for the proposed investigation was mid-October 1992. However, we have yet to receive a report on the investigation. Therefore, prior to 7 June 1993, a report on the investigation should be submitted to this office. The report should include all items outlined in the scope of work. In addition, a work plan for further definition of the lateral and vertical extent of soil (if necessary) and ground water degradation, both on-site and off-site, should be submitted by 7 June 1993.

Lastly, we have not received a report on the ground water treatment system's performance since 6 October 1989. Based on past conversations with RMX, we understand there has been a problem with silt in the extraction wells and a greatly reduced pumping rate. Please submit a progress report on the ground water treatment system by 7 June 1993. The progress report should include a description of the quantity of water extracted, the quantity of product removed, treatment system influent and effluent concentrations of petroleum constituents, length and percentage of time the system has been operating, and the overall effectiveness of the system.

Should you have any questions concerning this matter, please call Russell Walls at (209) 445-6192.

Russell W. Walls for
RCE No. C043140

JOHN M. NOONAN
Senior Engineer
RCE No. C035206

RWW:rww/cjs

cc: Jim Armstrong, Fresno County Environmental Health Department, Fresno
John Mitchell, City of Fresno, Fresno
John Palmer, City of Fresno, Fresno
Gary Keyes, Geraghty & Miller, Inc., Richmond

EXHIBIT 34

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-OOO-

In re: Methyl Tertiary Butyl
Ether ("MTBE") Products
Liability Litigation

Master File No.
1:00-1898

This Document Relates To:

City of Fresno
V. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

Case No.
MDL 1358 (SAS)

COPY

DEPOSITION OF DAVID BENJAMIN

August 9, 2011 at 9:00 (9:11) a.m.

Before: MICHELLE ELYSE BANDY
CSR #13590

Taken at:
Fresno, California

DEPOBOOK
Court Reporting Services
(800) 830.8885
www.depobook.com
Professional Reporting Services Nationwide!

Deposition of David Benjamin / August 9, 2011

1 couldn't give you any further information. I'm just
2 telling you that's what I believe the lease said.

3 Q. Let me ask you going up into the 1980s, do you
4 recall ever seeing the delivery trucks that brought
5 gasoline to the Shaw station?

6 A. Would I see -- trucks of our branding bring it
7 in there? Yes. I'd see over 76 through that time.
8 They were 76, and then I think later they hired one
9 of the other companies, Atlas or somebody of that
10 nature to deliver their -- to 76 fuel.

11 Q. I think you're -- you're getting ahead to my
12 next question already. That's fine. You anticipated
13 where I'm going. So the trucks initially that were
14 delivering gas to the station had the 76 logo on it?

15 A. That's correct.

16 MR. DAVIS: Objection. Vague as to time
17 period.

18 MR. EICKMEYER: You're anticipating my
19 next question, too.

20 BY MR. EICKMEYER:

21 Q. You recall -- you mentioned at some point it
22 changed then from the 76 brand to using what's called
23 the jobber to deliver gas?

24 MR. DAVIS: Objection. Mischaracterizes
25 the form of testimony. He said there was a truck or

Deposition of David Benjamin / August 9, 2011

1 STATE OF CALIFORNIA)
2 COUNTY OF FRESNO)
3
4

I, Michelle E. Bandy, a Certified Shorthand
Reporter, do hereby certify:

That prior to being examined, the witness in
the foregoing proceedings was by me duly sworn to
testify to the truth, the whole truth, and nothing
but the truth;

That said proceedings were taken before me at
the time and place therein set forth and were taken
down by me in shorthand and thereafter transcribed
into typewriting under my direction and supervision.
I further certify that I am neither counsel for, nor
related to, any party to said proceedings, nor in any
way interested in the outcome thereof.

In witness whereof, I have hereunto subscribed
my name.

19

20 Dated August 17, 2011

21

Michelle Elyse Bandy

23 Michelle Elyse Bandy

24 CSR No. 13590

25

EXHIBIT 35

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-oOo-

In re: Methyl Tertiary Butyl
Ether ("MTBE") Products
Liability Litigation

Master File No.
1:00-1898

This Document Relates To:

Case No.
MDL 1358(SAS)

City of Fresno
v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

COPY

DEPOSITION OF ELLIS (IKE) PURSELL

August 11, 2011 at 1:00 (1:04) p.m.

Before: ERIC L. JOHNSON
RPR, CSR #9771

Taken at:
Fresno, California

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Deposition of Ellis (Ike) Pursell / August 11, 2011

1 A. Okay. In -- I believe in 1988, '89, somewhere
2 in there, we signed a contract with Texaco Oil Company
3 and they revamped the whole station, and it was Texaco.
4 At that time Texaco delivered all the product to it.

5 Q. Let me break that down a little bit. When you
6 say a contract was signed with Texaco, was that a
7 franchise agreement or what type of contract, if you
8 know?

9 A. I am not 100 percent sure, but I am sure it was
10 some type of franchise contract because it was
11 exclusively Texaco. They delivered the product and
12 everything.

13 Q. You used the word, I think you said revamped
14 the station. Can you describe what you mean by that.

15 A. Prior to that time we had the old key lock
16 system in it. And when Texaco came in, they redid, put
17 leak detectors, redid the tanks, put in new pumps and
18 put in a card lock system.

19 Q. Do you recall if there was a change in
20 requirements or regulations that took place around that
21 1988-89 time frame that underground storage tanks were
22 being upgraded?

23 A. The petroleum industry went through a lot of
24 changes. I honestly can't go back and say what happened
25 at different times, but they went through a lot of

Deposition of Ellis (Ike) Pursell / August 11, 2011

1 STATE OF CALIFORNIA)
2 COUNTY OF STANISLAUS) (ss.

3 I, ERIC L. JOHNSON, do hereby certify that I am a
4 licensed Certified Shorthand Reporter, duly qualified
5 and certified as such by the State of California;

6 That prior to being examined, the witness named in
7 the foregoing deposition was by me duly sworn to testify
8 to tell the truth, the whole truth, and nothing but the
9 truth;

10 That the said deposition was by me recorded
11 stenographically at the time and place herein mentioned;
12 and the foregoing pages constitute a full, true,
13 complete and correct record of the testimony given by
14 the said witness;

15 That I am a disinterested person, not being in any
16 way interested in the outcome of said action, or
17 connected with, nor related to any of the parties in
18 said action, or to their respective counsel, in any
19 manner whatsoever.

20

21 DATED: August 29, 2011

22

23

24

E.J.
Eric L. Johnson, CSR, RPR

EXHIBIT 36

EXHIBIT 37

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CITY OF FRESNO,

Plaintiff,

vs.

CHEVRON U.S.A. INC., et al.,

Defendants.

No.: 04 CIV 4973
(SAS) MDL1358

COPY

VIDEOTAPED DEPOSITION OF:
BALDEV SINGH SANDHU

July 27, 2011 at 9:05 a.m.

Reported By: SHANNON D. DENNEY
CSR No. 10385

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Deposition of Baldev Singh Sandhu / July 27, 2011

1 Q. Did you ever have another brand name applied
2 to the station?

3 A. No.

4 Q. Did you have any discussions with U.S.A.
5 about continuing to operate it as a U.S.A. branded
6 station?

7 A. No.

8 Q. Did you ever have a franchise agreement with
9 anyone while you operated the Fresno station?

10 A. No.

11 Q. Did you ever have any discussions with any
12 refiners or distributors about branding your station?

13 A. No.

14 Q. Did you ever have any understanding as to who
15 provided the gasoline when U.S.A. operated the
16 station?

17 A. No.

18 Q. When you first took over the station, who
19 were you purchasing gasoline from?

20 A. Different jobbers.

21 Q. Do you recall their names?

22 A. One was -- one was Delta Petroleum. I don't
23 know the name of the company. I think it was Visalia
24 and Joe Gomes (phonetic).

25 Q. I'm sorry?

Deposition of Baldev Singh Sandhu / July 27, 2011

1 Q. Well, that's why I mentioned earlier we just
2 appreciate your best recollection.

3 When you say out of Sacramento, how about
4 Beneto Trucking, B-E-N-E-T-O, out of West Sacramento,
5 was that one?

6 A. No. One was Total Energy, something like
7 that. Something like that. Out of Total, out of
8 Sacramento.

9 Q. Were you done?

10 A. Yes.

11 Q. If you think of anyone else, if you can let
12 us know.

13 A. Mike. That comes and go. Whoever is
14 cheaper. Today he's cheaper. Tomorrow he's cheaper.
15 Next I'm cheaper. Whoever is cheaper.

16 Q. When you needed to order gasoline, how would
17 do you do that?

18 A. Compare the price, pick up the phone. That's
19 it.

20 Q. When you say "compare the price", what were
21 you looking at to compare the price? Or were you
22 making phone calls, or did you have some kind of a
23 printout? How would you tell who was cheaper?

24 A. Just phone calls.

25 Q. For the jobbers that you mentioned, I think

Deposition of Baldev Singh Sandhu / July 27, 2011

1 A. No.

2 Q. Did that happen every month?

3 A. No. It doesn't happen. There was no
4 overfill that happen.

5 Q. Do you recall any occasions where the fire
6 department was called to the station?

7 A. No.

8 Q. Was the ground near the gas dispensers ever
9 hosed down or rinsed down?

10 A. No.

11 Q. Do you recall what the surface was where the
12 customers' cars would park to pump their gas?

13 A. Surface, what do you mean? By smooth? It
14 was paved.

15 Q. Yeah. Where the customers' cars would be,
16 was it concrete or asphalt, or what kind of surface?

17 A. Both concrete and asphalt.

18 Q. Do you recall if there were any drains in the
19 ground in that area?

20 A. No.

21 Q. If there was any kind of a gas leak or spill,
22 where the employees were required to make any kind of
23 report?

24 A. Yes.

25 Q. What was that? How would that happen?

Deposition of Baldev Singh Sandhu / July 27, 2011

1. A. They would let us know and we would take care
2. of it, if it needs to be cleaned. If it was spills, we
3. go from there.

4 Q. Were they required to make any written
5 report?

6 A. Yes.

7 Q. Do you still have any of those forms from the
8 Fresno station?

9 A. No.

10 Q. Do you recall what kind of form was used for
11 them to make the written report?

12 A. Just normal note.

13 Q. Just making a note?

14 A. Yes.

15 Q. Do you recall any occasions where a gas
16 dispenser pump malfunctioned that, for example, it
17 wouldn't shut off or was dripping gasoline?

18 A. NO.

19 Q. Do you recall any occasion where a customers' car ran into any of the gas pumps or dispensers?

21 A. Never happens.

22 (Whereupon Exhibit 5 was marked for
23 identification.)

24 MR. EICKMEYER: Q. Mr. Sandhu, we marked as
25 Exhibit 5. This is titled Official Inspection Report

Deposition of Baldev Singh Sandhu / July 27, 2011

1 Fresno County Health Services Agency Community Health
2 Department. Date at the top right is 7/13/95. Bates
3 is FCDEH, hyphen Fresno, hyphen 035309. This has the
4 name of someone from the county of Luis, L-U-I-S,
5 Ledezma, L-E-D-E-Z-M-A.

6 Do you recall ever having any conversation
7 with him?

8 A. No.

9 Q. This indicates, has the name looks like
10 Kulwinder, K-U-L-W-I-N-D-E-R, Singh, as being at the
11 station.

12 Would that be a misspelling of Balwinder
13 Singh, or is that a different person?

14 MS. MOTAMED: Objection. Lacks foundation.

15 The witness indicates he cannot see the
16 document, so I don't know how he can answer question.

17 MR. EICKMEYER: Q. You can answer.

18 A. I have no idea. Maybe can be employee, maybe
19 can be Balwinder.

20 Q. Do you remember if there was ever a person
21 name Kulwinder Singh that worked at the station?

22 A. There was a couple guys they worked there,
23 but I don't remember their name.

24 Q. The form indicates says, "Mr. Singh doesn't
25 know when tanks are inventoried", end quote.

Deposition of Baldev Singh Sandhu / July 27, 2011

1 Do you have a recollection as to what the
2 policy was to inventory tanks at the station?

3 A. Yes.

4 Q. How was that done?

5 A. When we take it over, we have inventory every
6 day inventory, whatever we get it. However, we set it,
7 whenever was balance on the daily records.

8 Q. How would the inventory be checked every
9 day?

10 A. Gas you received minus you sold it, with a
11 stick. The tank was stick.

12 Q. We heard from other witness, you're
13 describing then a stick was put in the underground
14 storage tank?

15 A. Yes.

16 Q. Who was responsible for doing the stick
17 measurements?

18 A. Mr. Dalbir was doing it.

19 Q. Did you ever conduct any stick
20 measurements?

21 A. No.

22 MR. EICKMEYER: Go ahead and go off the
23 record.

24 THE VIDEOGRAPHER: The time is -- this ends
25 tape number one, Volume 1 of the video deposition of

1

2

3 I, SHANNON D. DENNEY, CSR 10385, a Certified
4 Shorthand Reporter in and for the State of California,
5 do hereby certify that, prior to being examined, the
6 witness named in the foregoing deposition was by me
7 duly sworn to testify the truth, the whole truth, and
8 nothing but the truth; that said deposition was taken
9 down by me in shorthand at the time and place named
10 therein and was thereafter transcribed under my
11 supervision; that this transcript contains a full, true
12 and correct record of the proceedings which took place
13 at the time and place set forth in the caption hereto.

14 I further certify that I have no interest in
15 the event of this action.

16

17

18

19

20

21

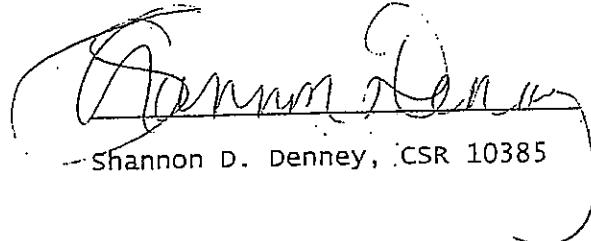
22

23

24

25

EXECUTED this 10 day of August, 2011.



A handwritten signature in black ink, appearing to read "Shannon D. Denney". Below the signature, the name "Shannon D. Denney" is printed in a smaller, standard font, followed by "CSR 10385".

EXHIBIT 38



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

MDL No 1358 (SAS)

DEFENDANT EXXON MOBIL
CORPORATION'S SUPPLEMENTAL
RESPONSES TO PLAINTIFF CITY
OF FRESNO'S FIRST SET OF
INTERROGATORIES

This Document Relates To:

City of Fresno v. Chevron U.S.A., Inc., et al.,
04 Civ. 04973

Defendant Exxon Mobil Corporation ("ExxonMobil"), by and through counsel and pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York, hereby provides supplemental responses to Plaintiff's First Set of Interrogatories to Defendants ("Interrogatories") as follows:

PRELIMINARY STATEMENT

The following response and objections state ExxonMobil's knowledge, information and belief as of the date of such response and objections. Further investigation, discovery and analysis may uncover additional information, add meaning to known facts and/or support new factual conclusions and legal contentions, all of which may lead to changes in ExxonMobil's responses herein. Such investigation and discovery are continuing, and ExxonMobil specifically reserves the right to supplement this response and the right to rely at trial on subsequently discovered information inadvertently omitted from this response as a result of mistake, error or oversight.

Fresno. The information available in Exxon's legacy database does not identify the service stations to which these distributors may have delivered Exxon-branded gasoline. The exhibits to the declaration of A. J. Kaberline, served in April 2011, include data concerning deliveries to these distributors, as well as other distributors who may have supplied Exxon-branded gasoline to retail gasoline service stations in the City of Fresno.

INTERROGATORY NO. 6:

IDENTIFY each refinery that YOU own or owned which provided MTBE gasoline to the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of ownership for each refinery YOU identified;
- b. State the dates that YOU added MTBE to gasoline manufactured by each refinery YOU identified;
- c. IDENTIFY each entity which supplied MTBE to each refinery YOU identified.

RESPONSE TO INTERROGATORY NO. 6:

In addition to its General Objections, which are incorporated herein as if set forth in full, ExxonMobil objects to this interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. ExxonMobil objects to these discovery requests to the extent they seek information relating to events that occurred prior to the initial manufacture, sale, or distribution by ExxonMobil of gasoline containing MTBE on the grounds that those discovery requests are overbroad, unduly burdensome and oppressive, and on further grounds that they seek information not relevant to the subject matter of this case and not reasonably calculated to lead to the discovery of admissible evidence. ExxonMobil also objects on the grounds that this interrogatory generally seeks information not relevant to the subject matter of this case and not reasonably calculated to lead to the discovery of admissible evidence.

ExxonMobil further objects to this interrogatory on the grounds that the undefined terms "provided" and "supplied" are vague, ambiguous and unintelligible, in that it fails to describe with specificity or reasonably particularize the information requested, and is thus overbroad, unduly burdensome and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. ExxonMobil further objects to the defined terms "IDENTIFY" and "YOU" on the grounds that they deviate from or purport to impose requirements other than or in addition to those required by Local Civil Rule 26.3, and therefore, this interrogatory is vague and ambiguous, burdensome, overbroad, and seeks information not relevant to the allegations asserted in Plaintiff's complaint.

Further, as stated in the October 9, 2008 and October 21, 2008 letters from William Temko to Duane Miller, ExxonMobil objects to the identification of proprietary owned refineries as requested by this Interrogatory until such time as Plaintiff identifies the wells and service stations at issue in this case.

ExxonMobil further objects to this interrogatory to the extent it is duplicative of prior discovery served in this case and other cases in MDL 1358, and therefore, this interrogatory is burdensome and harassing.

Subject to and without waiving the foregoing objections, ExxonMobil responds that the pre-merger Exxon proprietary refinery at Benicia, California (3400 East Second Street, Benicia, CA 94510) produced gasoline containing MTBE and that gasoline refined at this facility may have been ultimately delivered to stations in the City of Fresno. Specifically, Exxon began blending MTBE as an oxygenate in gasoline refined at Benicia in April, 1992. At that time, it was used for approximately one week for equipment and pipeline testing purposes, and then its use was discontinued. In order to have supplies of wintertime oxygenated fuel available for the required wintertime oxygenate period beginning November 1, 1992, Exxon began producing wintertime oxygenated fuel containing MTBE at the Benicia refinery in approximately September, 1992. Exxon continued blending MTBE into gasoline until the time of the refinery's sale to Valero Energy Corporation in May, 2000. ExxonMobil has identified the following

companies as suppliers of MTBE: Arco Products Company, Chevron Products Company, Coastal Chemical, Inc., EcoFuel, S.P.A., Enron Clean Fuels Company, Lyondell Chemical Worldwide, Inc.; Noble Americas Corp., Neste Canada, Inc., SABIC Americas, Inc., Shell Oil Company, Trammochem and Vitol S.A., Inc.

Due to its geographic location, it is unlikely that pre-merger Mobil or ExxonMobil refined gasoline containing MTBE was delivered to gasoline stations in the City of Fresno. Rather, the pre-merger Mobil and ExxonMobil, after the sale of the Benicia Refinery, purchased gasoline containing MTBE from third parties for shipment to the Kinder Morgan Fresno terminal via the Kinder Morgan Pipeline.

INTERROGATORY NO. 7:

IDENTIFY each terminal that YOU own or owned which served the RELEVANT GEOGRAPHIC AREA since 1979.

- a. State the dates of ownership for each terminal YOU identified;
- b. IDENTIFY all Exchange and/or Throughput Partners for each terminal YOU identified;
- c. IDENTIFY each pipeline used to supply gasoline for each terminal YOU identified.

RESPONSE TO INTERROGATORY NO. 7:

In addition to its General Objections, which are incorporated herein as if set forth in full, ExxonMobil objects to this interrogatory on the ground that it is overbroad with respect to time, as the Court's CMO No. 4 limits discovery to 1986, and MTBE was phased out of gasoline sold in California no later than December 31, 2003. ExxonMobil objects to these discovery requests to the extent they seek information relating to events that occurred prior to the initial manufacture, sale, or distribution by ExxonMobil of gasoline containing MTBE on the grounds that those discovery requests are overbroad, unduly burdensome and oppressive, and on further

EXHIBIT 39

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MDL No. 1358 (SAS)

In Re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation:

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.

**THE SHELL DEFENDANTS' RESPONSES TO
PLAINTIFF'S FIRST SET OF INTERROGATORIES**

Defendants Shell Oil Company, Equilon Enterprises LLC, Equiva Services LLC and Texaco Refining and Marketing Inc. (the "Shell Defendants"), through counsel and pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, hereby responds to Plaintiff's First Set of Interrogatories.

INTRODUCTORY STATEMENT

The Shell Defendants are submitting a single answer to the interrogatories served in the above-captioned case. In compiling their answers, the Shell Defendants have conducted interviews of numerous employees, reviewed computer databases and spreadsheets, and have taken all reasonable efforts to provide information sought by Plaintiff's interrogatories. Computerized information that would assist in preparing responses to Plaintiff's interrogatories is generally unavailable for periods prior to 1999. Although some computerized information may be available for periods prior to that time, it is contained on computer systems that are no longer used by the Shell Defendants and those systems are not readily accessible without undue burden or expense. Where available, such information has been provided.

Computerized information regarding gasoline supplies for defendants Shell Oil Company and Texaco Refining and Marketing Inc. is generally unavailable for the time periods requested. In 1998, the western United States refining and marketing businesses of Shell and Texaco were combined in a joint venture limited liability company, Equilon Enterprises LLC. Relatively

Defendants have from time-to-time provided gasoline to stations in the City of Fresno; however, the Shell Defendants make no representations that these suppliers' gasoline necessarily was delivered into the City of Fresno. Product descriptions provided do not always allow the Shell Defendants to ascertain with precision whether particular types of conventional gasoline contained MTBE, as the specification sheets for those varieties of gasoline permitted, but did not require, that gasoline to contain MTBE.

SUPPLIERS OF GASOLINE TO EQUILON ENTERPRISES LLC

<u>Company Name</u>	<u>Date Range</u>	<u>Location</u>
Arco Products	1999-2002	Fresno
Ultramar Inc./Ultramar Diamond Shamrock	1999-2002	Fresno
Chevron USA	1999-2002	Fresno
ExxonMobil	1999	Fresno
Tosco Refining & Mktg.	1999-2002	Fresno
Tesoro	2001-2002	Fresno
Valero Refining & Mktg.	2002-2003	Fresno

The Shell Defendants do not have any readily ascertainable information regarding the refinery at which the gasoline at issue was refined, nor is that information that ordinarily would have been provided to the Shell Defendants.

2. Please identify the name and address of each entity from which You obtained neat MTBE for use at any Refinery owned or operated by You that supplied gasoline for ultimate delivery into Orange County; the dates or date ranges when MTBE was acquired from each such supplier, and the name and address of Your Refinery(ies).

RESPONSE: The Shell Defendants object to this Interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving any of their objections, the Shell Defendants respond as follows:

Prior to the effective date of the Clean Air Act Amendments of 1990 (i.e., November 1992), the Shell Defendants generally obtained neat MTBE from three sources: Arco Chemical Company, Texas Petrochemical Company, and Texaco Chemical Company.

Following enactment of the Clean Air Act Amendments of 1990, which required increased use of MTBE in gasoline, Shell obtained MTBE from a number of other suppliers depending upon supply and demand issues. Suppliers of neat MTBE to the Shell Defendants in California since approximately 1996 have included Arco Chemical Company, BP West Coast Products LLC, Chevron U.S.A., Inc., ExxonMobil Oil Corporation, Petro Diamond, Inc., SABIC Americas, Inc., Sadaf, Tesoro Alaska Petroleum Co., ConocoPhillips Co., TFAMM, Valero Marketing and Supply Co., Kern Oil & Refining Co., Lyondell Petrochemical Co., Tesoro Refining and Marketing Co., Enron Clean Fuels Co., Murex N.A., Ltd., Ultramar Inc., Ultramar Diamond Shamrock, Star Enterprise, Noble Americas Corp., Vitol S.A., Inc., Oxygenated Marketing and Trading, Tradax Energy, Inc., Ecofuel S.p.A., Huntsman Petrochemical Corporation, American Agip, Oxygenate Division, Astra Oil Co., Inc., ATOFINA Petrochemicals, Inc., BP North American Petroleum, BP Products North America, Flint Hills Resources, LP, Global Octanes Corp., Motiva Enterprises LLC, Neste Canada Inc., Texas Petrochemicals Corporation, Trammochem, Equiva Trading, LTC Limited, Tauber Oil Company, Glencore Ltd., and Chevron U.S.A. Products Co.

It cannot be determined with precision which company's MTBE was blended into gasoline that was shipped to any particular locality.

Addresses of the Shell Defendants' refineries that may have produced gasoline that ultimately was supplied to the City of Fresno are as follows:

Shell Martinez Refinery
3485 Pacheco Boulevard
Martinez, California 94553
Dates of Shell Ownership: 1915-1998, 2002-present
Dates of Equilon ownership: 1998-2002

Shell Bakersfield Refinery
P. O. Box 1476
Bakersfield, California 93302
Dates of Shell Ownership: 2002-present
Dates of Equilon ownership: 1998-2002
Dates of Texaco ownership: 1984-1998

Dates of Getty ownership: 1980-1984
Dates of Reserve Oil and Gas Company ownership: 1970-1980
Dates of Mohawk ownership: 1932-1970

3. Please identify each Terminal You use or used to supply gasoline for ultimate delivery into the City of Fresno, at any time since the date of first MTBE use in the City of Fresno; and the dates or date ranges when you have used such Terminal. For each Terminal You use or used, please also state whether You owned or operated such Terminal or were a Terminalling Partner at such Terminal.

RESPONSE: The Shell Defendants object to this Interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving any of their objections, the Shell Defendants respond as follows:

Subject to and without waiving any of their objections, the Shell Defendants identify the following terminals from which they may have supplied gasoline to the City of Fresno:

<u>State</u>	<u>Terminal Name</u>	<u>Terminal Operator</u>
California	Fresno	Kinder Morgan

Dated: August 30, 2004

Respectfully submitted,



Richard E. Wallace, Jr.
Peter C. Condron
Rebecca L. Schuller
WALLACE KING MARRARO & BRANSON PLLC
1050 Thomas Jefferson Street, N.W.
Washington, D.C. 20007
Telephone: (202) 204-1000
Facsimile: (202) 204-1001

Attorneys for Defendants Shell Oil Company,
Equilon Enterprises LLC, Equiva Services LLC and
Texaco Refining and Marketing Inc.

EXHIBIT 40

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

---oo---

SOUTH TAHOE PUBLIC UTILITY)
DISTRICT,)
Plaintiff,)
vs)
ATLANTIC RICHFIELD COMPANY)
("ARCO"); ARCO CHEMICAL COMPANY;)
SHELL OIL COMPANY; CHEVRON)
U.S.A., INC.; EXXON CORPORATION;)
B.P. AMERICA, INC.; TOSCO)
CORPORATION; ULTRAMAR, INC.;)
BEACON OIL CO.; USA GASOLINE)
CORPORATION; SHELL OIL PRODUCTS)
CO.; TERRIBLE HERBST, INC.;)
ROTTEN ROBBIE; J.E. TVETEN)
CORP.; TAHOE TOM'S GAS STATION;)
THE SOUTHLAND CORP.; PARADISE)
CHEVRON; and DOES 1 through 600,)
inclusive,)
Defendants.)

No. 999128

THIS TRANSCRIPT
CONTAINS CONFIDENTIAL
MATERIALS

---oo---

WEDNESDAY, JULY 28, 1999
10:03 A.M.

---oo---

DEPOSITION OF
MARY F. MORGAN

---oo---

CATHLEEN SLOCUM, CSR
License No. 2822

PETERS SHORTHAND REPORTING CORPORATION

3336 Bradshaw Road, Suite 240
Sacramento, California 95827
(916) 362-2345

1 appeared as counsel on behalf of Kinder Morgan Energy
2 Partners, L.P., and the deponent.

3 MICHAEL B. SCHWERDTFEGER, Esq., in-house counsel
4 for Kinder Morgan Energy Partners, L.P., 1100 Town & Country
5 Road, Orange, California.

6 ALSO PRESENT: Hiroki Suyama, Manatt, Phelps &
7 Phillips; Ryan Mallen, Kinder Morgan Energy Partners, L.P.

8 --oo--

9 DEPOSITION OF

10 MARY F. MORGAN, called as a witness by the plaintiff who,
11 being first duly sworn by the Certified Shorthand Reporter
12 to tell the truth, the whole truth, and nothing but the
13 truth, testified as follows:

14 EXAMINATION

15 By DUANE C. MILLER, Esq., counsel on behalf of the
16 plaintiff:

17 Q Can I have your name and business address for the
18

19 record, please.

20 A My name is Mary F. as in Frances Morgan. Business
21

22 address is 1100 Town & Country Road, Orange, California
23

24 92868.

25 Q And who is your employer and what is your position with
26

27 them, please?

28 A My employer is Kinder Morgan Energy Partners, and my
29

30 title is vice-president of marketing.

1 Area use your employer's pipeline to transport gasoline
2 products?

3 A Yes. For the most part, yes.

4 Q Is it your understanding that that's been true since at
5 least 1987 when you went to work for the company?

6 A Yes.

7 Q Let's talk about the Bay Area refineries that are your
8 customers. Is the Shell refinery in Martinez one of your
9 customers?

10 A Shell was a shipper of record in our pipeline system as
11 well as a terminal customer prior to some of their
12 reorganization recently where they had a different name.

13 Q What I'd like to focus on is not so much the name for
14 the moment. Is it your understanding that the Shell Oil
15 Company refinery in Martinez used your employer's pipeline
16 to deliver gasoline to one of your terminals so that it
17 could be trucked elsewhere?

18 MR. JOHNSON: This question is any time from '87 to
19 the present?

20 MR. MILLER: Yes.

21 THE WITNESS: Yes.

22 MR. MILLER: Q Is it also your understanding that
23 the successor entity that took over that refinery under a
24 partnership between Shell and Texaco also uses the same
25 pipeline and services?

1 A I can't say they use the same ones that they might have
2 at a previous date but, yes, they are a customer that uses
3 our pipelines.

4 Q Okay. Now, you're familiar with the TOSCO refineries
5 in the Bay Area; is that correct?

6 A Generally familiar, yes.

7 Q All right. And does the TOSCO Avon refinery use your
8 employer's pipeline to deliver gasoline?

9 A Yes.

10 Q And does the TOSCO refinery -- what's the name of the
11 second one? I'm sorry.

12 A We would refer to it as Rodeo.

13 Q Does the TOSCO Rodeo refinery use your employer's
14 pipeline to deliver gasoline?

15 A Yes.

16 Q And immediately prior to them taking over that refinery
17 is it your understanding that Unocal operated that refinery?

18 A Yes.

19 Q Do you recall the approximate date that the ownership
20 changed from TOSCO to Unocal for the Rodeo refinery?

21 A No, I don't recall the date.

22 Q A couple of years ago?

23 A I'd say that's a good characterization.

24 Q Okay. And prior to TOSCO's operation of the Rodeo
25 refinery, was it your understanding that the Unocal refinery

1 at the same location used your employer's pipeline and
2 terminals?

3 A Yes.

4 Q Are you familiar with the Exxon refinery in Benicia?

5 A Yes.

6 Q Are they a customer of your employer's?

7 A Exxon is a customer, yes.

8 Q And does, is it your understanding that the Benicia
9 refinery operated by Exxon uses your employer's pipeline to
10 deliver gasoline?

11 A Again, Exxon is our customer and uses the pipeline, yes.

12 Q Including for its Benicia refinery?

13 A It's my understanding the volumes that initiate from
14 the Benicia refinery move through our pipeline, yes.

15 Q And do you have an understanding of whether or not the
16 Chevron refinery in Richmond is one of your employer's
17 customers?

18 A Again, Chevron is a customer and it's my understanding
19 that volumes that originate at the Chevron refinery at
20 Richmond move through our pipeline system.

21 Q Okay. Is there any technology used by your employer to
22 separate the gasoline from one Bay Area refinery physically
23 so that it will not intermix with refinery gasoline produced
24 by someone else?

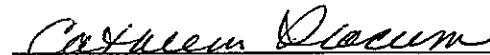
25 MR. JOHNSON: Vague as to "technology." Vague as

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER
2

3 I, CATHLEEN S. SLOCUM, a Certified Shorthand
4 Reporter, in and for the State of California, duly appointed
5 and commissioned to administer oaths, do hereby certify:

6 That I am a disinterested person herein; that the
7 witness, MARY F. MORGAN, named in the foregoing deposition,
8 was by me duly sworn to testify the truth, the whole truth,
9 and nothing but the truth; that the deposition was reported
10 in shorthand by me, Cathleen S. Slocum, a Certified
11 Shorthand Reporter of the State of California, and
12 thereafter transcribed into typewriting.

13 IN WITNESS WHEREOF, I have hereunto set my hand as
14 Certified Shorthand Reporter on this 1 of August, 1999.
15
16
17

18 
19 Cathleen Slocum
Certified Shorthand Reporter
License Number 2822
20

21 --000--
22
23
24
25

EXHIBIT 41

KELLY J. HAMMAR - JULY 1, 1999

1

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO
NO. 999128

SOUTH TAHOE PUBLIC UTILITY *
DISTRICT *

Plaintiff, *

VS. *

ATLANTIC RICHFIELD COMPANY *
("ARCO"); ARCO CHEMICAL *
COMPANY; SHELL OIL COMPANY; *
CHEVRON U.S.A., INC.; EXXON *
CORPORATION; B.P. AMERICA, *
INC.; TOSCO CORPORATION; *
ULTRAMAR, INC.; BEACON OIL *
CO.; USA GASOLINE *
CORPORATION; SHELL OIL *
PRODUCTS CO.; TERRIBLE *
HERBST, INC.; ROTTEN ROBBIE; *
J.E. TVETEN CORP.; TAHOE *
TOM'S GAS STATION; THE *
SOUTHLAND CORP.; PARADISE *
CHEVRON; and DOES 1 *
through 600, inclusive; *

Defendants. *

COPY

ORAL AND VIDEOTAPED DEPOSITION OF

KELLY J. HAMMAR

July 1, 1999

ORAL AND VIDEOTAPED DEPOSITION OF

KELLY J. HAMMAR, produced as a witness at the instance
of the Plaintiff, and duly sworn, was taken in the
above styled and numbered cause on the 1st of July,
1999, from 1:04 p.m. to 2:37 p.m., before Jerusha R.
Simon, CSR in and for the State of Texas, reported by
machine shorthand, at the Hyatt Regency, 1200
Louisiana, Houston, Texas.

1 Corporation, on behalf of Exxon and the witness.

2 KELLY J. HAMMAR,

3 having been first duly sworn, testified as follows:

4 EXAMINATION

5 BY MR. SAWYER:

6 Q. Would you please state your name for the

7 record?

8 A. Kelly J. Hammar.

9 Q. No relation to Arm & Hammer, huh? Too bad.

10 A. Or Jack.

11 Q. Do you reside in Texas, ma'am?

12 A. Yes, I do.

13 Q. Okay. And where are your offices located?

14 A. At 800 Bell.

15 Q. And what city is that in?

16 A. Houston, Texas.

17 Q. All right. And what's the name of your

18 employer?

19 A. Exxon Company U.S.A.

20 Q. And how long have you been employed by Exxon

21 Company U.S.A.?

22 A. Approximately 9 1/2 years.

23 Q. And have your job duties always remained the

24 same during that nine-year period?

25 A. No, they have not.

DICKMAN DAVENPORT, INC.
(214) 855-5100 (800) 445-9548

1 Q. All right. Let's take your most recent job
2 duties and work our way back. What are your current
3 job duties?

4 A. I'm currently the West Coast coordinator in
5 our supply organization, and I'm responsible for
6 coordinating feedstocks and products for the Benicia
7 refinery and, also, the West Coast from Seattle down
8 to San Diego.

9 Q. And what do you mean by "feedstocks"?

10 A. Everything from PGO, hydrocracker feed, and
11 MTBE.

12 Q. Okay. In other words, your--part of your job
13 duties is dealing with the supply of these various
14 gasoline components for use in northern California?

15 A. Yes.

16 Q. And what is your job title at the current
17 time?

18 A. West Coast coordinator.

19 Q. And how long have you held that position?

20 A. One year, approximately.

21 Q. Okay. And what position did you hold before
22 you were named West Coast coordinator?

23 A. I was the Baton Rouge team captain.

24 Q. It sounds like a softball team or something.

25 Q. What exactly--what does a Baton Rouge team captain do?

1 with the company?

2 A. As far as I know, yes.

3 Q. All right. Do they have what are called
4 branded stations in northern California?

5 A. Yes, they do.

6 Q. And what do you understand "branded stations"
7 to mean?

8 A. Exxon-branded stations?

9 Q. Yes, ma'am.

10 A. I believe that's a marketing question, but
11 what I understand is that we sell Exxon-branded
12 gasoline.

13 Q. Do you know if Exxon also sells to unbranded
14 gas stations in California?

15 A. Yes.

16 Q. Does Exxon have its own pipeline in northern
17 California?

18 A. No.

19 Q. Whose pipeline, if any, do they use?

20 A. We use Kinder-Morgan.

21 Q. And I believe that used to be named Santa Fe
22 Pacific Pipeline before it was purchased by
23 Kinder-Morgan?

24 A. I believe so, yes.

25 Q. Are you familiar with what--are you familiar

1 with the term "rack"?

2 A. Yes.

3 Q. What does a rack mean to you?

4 A. A rack means to me where gasoline is sold.

5 Q. In other words, where it's put in a truck of
6 some sort?

7 A. Um-hum. (The witness nods head.)

8 Q. All right. And did Exxon maintain any racks
9 in northern California?

10 A. We have one terminal that we currently own at
11 the Benicia refinery.

12 Q. Okay. So, one rack at the Benicia refinery?

13 A. That's what we own.

14 Q. Okay. Do you use other people's racks for
15 purposes of selling gasoline in northern California?

16 A. Yes.

17 Q. What other racks are you aware of?

18 A. I do not know all of them per se, but we do
19 associate with Kinder-Morgan. So, it would be at
20 Kinder-Morgan's terminals. I do not know if they own
21 the racks or not.

22 Q. Okay. Do you use any other oil company's
23 racks for purposes of selling gasoline in northern
24 California?

25 A. I do not know.

1 the gas Exxon sells in northern California, if the
2 source of that gasoline is their Benicia refinery?

3 A. I don't think I fully understand the
4 question.

5 Q. Okay. Let me ask it this way.

6 A. I'm sorry.

7 Q. Does most of the gas that Exxon sells--let me
8 rephrase the question. Is the Benicia refinery the
9 source of most of the gasoline that Exxon sells in
10 northern California?

11 A. We--we produce the gasoline. And most of it
12 is actually sold FOB at the Benicia refinery, which
13 means that it's sold at the pipeline area except for
14 our personal gasoline that's--that moves from there.

15 Q. And FOB means free on board, right?

16 A. Um-hum.

17 Q. All right. You have to say "yes" or "no" for
18 the record--

19 A. Yes.

20 Q. --even though we're on videotape? Okay.

21 Other than the Benicia refinery, what are the other
22 sources of gasoline that Exxon sells in northern
23 California?

24 A. As you're aware, we do have exchange
25 agreements, which we have provided you. And it is

KELLY J. HAMMAR - JULY 1, 1999

26

13:29:26 1 A. Yes.
13:29:26 2 Q. Where is Selby located?
13:29:28 3 A. Selby is across the Carquinez Strait from
13:29:32 4 Benicia refinery.

13:29:33 5 Q. Now, you mentioned before when we talked
13:29:44 6 about the product codes.

13:29:45 7 A. Um-hum.

13:29:45 8 Q. See the second column? It says "Product."
13:29:49 9 Do you know what those mean?

13:29:51 10 A. Those are actually described back on this
13:29:55 11 page here.

13:29:56 12 Q. Okay.

13:29:57 13 MR. SAWYER: For the record, the witness
13:29:58 14 is--we were just looking at some product codes in the
13:30:02 15 second column of Exhibit A to Exxon No. ULT724. And
13:30:09 16 we flipped back a couple of pages to, again, marked
13:30:12 17 Exhibit A.

13:30:13 18 Q. (BY MR. SAWYER) And it looks like a series
13:30:14 19 of footnotes?

13:30:16 20 A. Um-hum.

13:30:16 21 MR. SAWYER: And just after Footnote 13,
13:30:20 22 there is a term in the middle that says "products."
13:30:23 23 And, for example, URCA2 apparently means unleaded
13:30:28 24 regular carb--

30:30 25 Q. (BY MR. SAWYER) Is that California?

KELLY J. HAMMAR - JULY 1, 1999

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:37:04 1 STATE OF TEXAS)

14:37:04 2 COUNTY OF DALLAS)

14:37:04 3 I, Jerusha R. Simon, Certified Shorthand
14:37:04 4 Reporter, in and for the State of Texas, certify that
14:37:04 5 the foregoing deposition of KELLY J. HAMMAR, was
14:37:04 6 reported stenographically by me at the time and place
14:37:04 7 indicated, said witness having been placed under oath
14:37:04 8 by me, and that the deposition is a true record of the
14:37:04 9 testimony given by the witness.

14:37:04 10 I further certify that I am neither counsel for
14:37:04 11 nor related to any party in this cause and am not
14:37:04 12 financially interested in its outcome.

:37:04 13 Given under my hand on this the _____ day of
14:37:04 14 _____, 1999.

14:37:04 15

14:37:04 16

14:37:04 17

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14:37:04 22

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25



Jerusha R. Simon, Certified
Shorthand Reporter No. 7266
in and for the State of Texas
Dickman Davenport, Inc.
3000 Carlisle, Suite 113
Dallas, Texas 75204
(214) 855-5100 (800) 445-9548
e-mail: info@dickmandavenport.com
My commission expires 12-31-99

EXHIBIT 42

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

--○○○--

4 SOUTH TAHOE PUBLIC UTILITY))
5 DISTRICT,))
6) Plaintiff,))
7) vs) No. 999128
8 ATLANTIC RICHFIELD COMPANY))
9 ("ARCO"); ARCO CHEMICAL COMPANY;))
10 SHELL OIL COMPANY; CHEVRON))
11 U.S.A., INC.; EXXON CORPORATION;))
12 B.P. AMERICA, INC.; TOSCO))
13 CORPORATION; ULTRAMAR, INC.;))
14 BEACON OIL CO.; USA GASOLINE))
15 CORPORATION; SHELL OIL PRODUCTS))
16 CO.; TERRIBLE HERBST, INC.;))
17 ROTTEN ROBBIE; J.E. TVETEN))
18 CORP.; TAHOE TOM'S GAS STATION;))
19 THE SOUTHLAND CORP.; PARADISE))
20 CHEVRON; and DOES 1 through 600,))
21 inclusive,))
22))
23) Defendants.))

—○○○—

FRIDAY, SEPTEMBER 22, 2000
9:13 A.M.

-909-

DEPOSITION OF
THOMAS HOOKS

-909-

CATHLEEN SLOCUM, CSR
License No. 2822

1 A That's okay.

2 Q I'm entitled to your best recollection, not a guess,
3 but an estimate or a best recollection. Is that okay?

4 A Okay.

5 MS. O'REILLY: Do other counsel want to
6 announce themselves on the record who they represent?

7 MR. DIAL: My name is Bill Dial. I'm with
8 Brobeck, Phleger & Harrison in Los Angeles, and I
9 represent Unocal Corporation, a defendant in this case.

10 MR. STILES: Mike Stiles from McCutchen, Doyle,
11 Brown & Enersen in Los Angeles. We represent Tesoro
12 Petroleum Company and Exxon Corporation.

13 MR. PRZYBYLKO: My name is Eric Przybylko with
14 Arnold & Porter in New York, and we represent Atlantic
15 Richfield Company, BP Exploration and BP America.

16 MS. SPRINGER: My name is Kristi Springer with
17 Manatt, Phelps & Phillips, and we represent defendants
18 Ultramar Inc. and Ultramar Diamond Shamrock Corporation.

19 MR. SAWYER: I thought you were from McCutchen.
20 Curt Sawyer for the plaintiff.

21 MS. O'REILLY: Q Okay. Can you tell me your
22 current job title, please?

23 A Manager of inventory and revenue systems.

24 Q Okay. How many years have you worked for Kinder
25 Morgan?

1 A Kinder Morgan came in in 1998. And I worked with
2 them when they bought out SFPP.

3 Q Did you work for SFPP?

4 A Yes.

5 Q And when did you start working for SFPP?

6 A 1986.

7 Q What were your prior job titles commencing with your
8 first position?

9 A Terminal operator in Mission Valley. Scheduler in
10 the control center and that was about 1990.

11 Q Which control center?

12 A At that time our control center was located in Los
13 Angeles.

14 Q Okay.

15 A In '92 forecaster. And sometime after the Kinder
16 Morgan takeover analyst.

17 Q And when did you assume your current title?

18 A About a year ago.

19 Q And what are your responsibilities in your current
20 position?

21 A We do several of the government reports, DOT. We
22 handle the reconciliation of stock at the terminal levels
23 as well as data requests as necessary from upper
24 management. I also work with the IS department.

25 Q Can you tell me what the IS department is?

1 A Information systems. Excuse me, now it's
2 information technology.

3 Q Okay.

4 A And work as a liaison with the products movement
5 department in designing new reports and helping with any
6 bugs that could be in the system in the schedule lines.

7 Q So in liaising with the products movement
8 department you help design these type of reports that are
9 here on the table?

10 A I am in the products movement department currently.

11 Q Okay.

12 A These reports, everything historically that's
13 generated are designs from back in the eighties.

14 Q Okay.

15 MR. JOHNSON: Bill.

16 MR. GILHULY: No. Gilhuly. Is this South
17 Tahoe?

18 MR. JOHNSON: Yes. Come on in.

19 (Thereupon a discussion was held off the
20 record.)

21 MS. O'REILLY: Would you like to introduce
22 yourself on the record?

23 MR. GILHULY: Morgan Gilhuly with Barg, Coffin,
24 Lewis & Trapp for Chevron U.S.A.

25 MS. O'REILLY: Q You can continue if you had

1 A Yes, I do.

2 Q Okay. That's an input manifold into the north
3 system. Am I reading this correctly?

4 A That will go to the north system, yes.

5 Q Okay. And the Richmond eight inch is an input line
6 where product is put into the system?

7 A Correct.

8 Q A starting point?

9 A Correct.

10 Q The Sacramento -- I'm assuming Sac stands for
11 Sacramento; is that correct?

12 A Yes, it does.

13 Q Fourteen-inch line.

14 A Yes, I see that.

15 Q Okay. What is that line?

16 A That's the line that will lead from Concord by
17 Sacramento to Rocklin and then ultimately to Chico, Reno
18 or Beale.

19 Q What facility is located at Concord, what Kinder
20 Morgan facility is located at Concord?

21 A We call it the Concord facility.

22 Q What type of facility is it?

23 A It's a breakout gathering facility.

24 Q Okay. Is that a place where gasoline comes in to be
25 distributed out to other locations, ultimate

1 destinations?

2 A That is correct.

3 Q In the Concord facility where would the product
4 originate that came into the Concord facility?

5 A It comes into what is called breakout storage tanks.

6 Q Where would it come in from?

7 A It can come in from several locations.

8 Q Do you have at the Concord facility input lines
9 directly from refineries?

10 A Do I have?

11 Q Does Kinder Morgan have?

12 A We have some lines up there that come in. Others
13 are not owned by us.

14 Q They're proprietary input lines?

15 A Yes.

16 Q Does Chevron have a line to the Concord facility in
17 which they can input gasoline into the Kinder Morgan
18 system?

19 A Chevron can get to Richmond through Richmond to
20 Concord.

21 Q Okay. And Exxon's facility in Benicia?

22 A They can also get to Concord.

23 Q Do they use the Richmond line?

24 A For which barrels? Depends on the destination.

25 Q Gasoline that would ultimately come to Sacramento?

1 A No.

2 Q How would Exxon input gasoline into your system?

3 A They have another line that does not come through

4 the Richmond facility.

5 Q Goes straight to Concord; is that correct?

6 A Correct.

7 Q Okay. Shell's refinery in Martinez?

8 A Same.

9 Q Comes direct into the Concord facility --

10 A Yes.

11 Q -- is that correct?

12 A Uh-huh. Yes, it is.

13 Q And Tosco, their Avon refinery?

14 A Direct to Concord as well.

15 Q And Tosco's Rodeo refinery?

16 A Direct to Concord as well.

17 Q Direct to Concord. So only Chevron utilizes the

18 Richmond line to input gasoline into your system that

19 goes to Concord, ultimately to Sacramento?

20 A No.

21 Q Who else utilizes that line?

22 A ARCO could utilize the line. I believe Time Oil was

23 there. Texaco was there at one time. Currently I

24 believe it's IMTT. I'm not sure what that abbreviation

25 is. And the other facility is, Shore could use that line

1 out of their Richmond facility.

2 Q Okay. So may I just recapitulate here. Gasoline
3 destined for Sacramento or West Sacramento comes in from
4 the Richmond line to Concord?

5 A Uh-huh.

6 Q Or Exxon, Shell and Tosco ship directly to Concord
7 from the refineries; is that correct?

8 A Yes.

9 Q Okay. So on this very first report that we're
10 looking at, would this gasoline, based on the system and
11 the line, would this gasoline have been delivered either
12 to a proprietary terminal in West Sacramento or your
13 Bradshaw facility?

14 A No.

15 Q No. Okay. Then let's move to the next one. This,
16 so I make sure I understand, the gasoline that's shown on
17 this report would have been delivered to Chico?

18 A It could have gone to Sacramento, Chico, or Reno.

19 Q Okay. I'm not clear on what you said. Does this
20 report, does it show gasoline, the one that you're
21 looking at, does it show gasoline that would have been
22 delivered to a terminal in Sacramento?

23 A Not necessarily. This is pumping product down our
24 14-inch line. Our 14-inch line runs not only to
25 Sacramento but also Chico and Reno.

1 another type.

2 MS. O'REILLY: Q So a shipment is received,
3 it's stored in a breakout tank until it's ready to be put
4 back into the system to its ultimate destination. Would
5 that be a correct assumption?

6 A Yeah.

7 Q How long is gasoline generally stored in the
8 breakout tank?

9 A I don't know.

10 Q Is there a record of when it comes into the breakout
11 tank?

12 A I don't have one, no.

13 Q Does Kinder Morgan generate a record when the
14 gasoline is put into the breakout tank?

15 A We generate the pumping ticket when it leaves the
16 breakout facility.

17 Q It is more than one supplier's product stored in a
18 breakout tank at any given time? Would you like me to
19 clarify?

20 A Yes, rephrase.

21 Q If Chevron were to put gasoline into the Kinder
22 Morgan system to be delivered to Sacramento, it would go
23 through the Concord facility; is that correct?

24 A That's correct.

25 Q And Shell if it were to put gasoline into the Kinder

1 Morgan system to be delivered to Sacramento would also go
2 to the Concord facility first; is that correct?

3 A Yes.

4 Q Would it be possible if they shipped in either
5 immediately after each other or even at the same time,
6 would their product that they shipped in be stored
7 together in a, in the same breakout tank?

8 A That could happen, yes.

9 Q Is that a normal business practice?

10 A I believe they try to keep them segregated when they
11 can.

12 MR. JOHNSON: At Concord?

13 THE WITNESS: At Concord. But like product can
14 be combined with like product.

15 MS. O'REILLY: Q It's fungible, would you say
16 that like product is fungible?

17 A Yes.

18 Q When it comes into the breakout tank, is there, if
19 it is commingled -- would that be the correct term to
20 use, commingled?

21 A Yes.

22 Q If it is commingled, is there some record that
23 Kinder Morgan has so that if, say, four or five hours --
24 I don't know the normal period -- if Shell were to
25 contact Kinder Morgan, does Kinder Morgan know how much

1 with, with Exhibit 3, Richmond, input at Richmond through
2 the Sacramento 14-inch line, comes out here on this
3 report, what would be the delay between the time that
4 ARCO put that into the pipeline and then ARCO, say,
5 received it here in their proprietary terminal because my
6 understanding the Sacramento 14 inch goes to proprietary?

7 A Okay. In your question you said that, are you
8 referring to a particular batch that ARCO as shipper of
9 record would receive at Sacramento, that same batch?

10 Q I'm talking about generally what the delay is. If
11 ARCO put it in the pipeline, you indicated that there's a
12 delay. In other words, it doesn't pump, you don't put it
13 in it, it doesn't pump in and it doesn't get delivered
14 necessarily simultaneously or my understanding is within
15 the same day.

16 What would be the typical time period for a
17 refinery puts in gasoline into the Richmond line and then
18 for, say, for ARCO as a shipper and then that shipment or
19 tender arrived to ARCO's account or its proprietary
20 terminal in West Sacramento, what would be the time frame
21 for that type of transaction?

22 A If you're referring to the Richmond system, there
23 could be more of a delay than if it was a direct pumping
24 from Concord.

25 Q Okay.

1 A They can gather it a couple of days in advance and
2 then pump it --

3 Q And that --

4 A -- towards the Sacramento.

5 Q And that would be gathered at the Concord facility?

6 A Right. Then since we treat all the product that's
7 like product in the line, they don't necessarily get that
8 batch at Sacramento. They do get a combination of
9 several batches or that batch or not, no part of that
10 batch.

11 Q Molecule for molecule they might not get the same
12 gasoline, is that what you're saying?

13 A That's what I'm trying to say.

14 Q But if on this report it shows that, referring to
15 Exhibit 3, the Supplier Report, Kinder Morgan is notified
16 that, say, Chevron puts gasoline in for ARCO is the
17 shipper --

18 A Okay.

19 Q -- 10,000 barrels. Eventually that 10,000 barrels
20 is going to be put through the pipeline for ARCO; is that
21 correct?

22 A Yes.

23 Q When you're talking about Richmond to the Sacramento
24 14 inch --

25 A There could be a two-day lag time there. A

1 Q So each combination of pipelines has a number? ..

2 A Yes.

3 Q Like Richmond would be Richmond when we looked at
4 the Supplier Reports, Richmond, Sacramento, would have a
5 line number, a single digit line number?

6 A Yes.

7 Q Is there a list of line numbers that tells us what
8 each line number represents?

9 A I'm sure there is.

10 Q Okay. I need that to be able to interpret these
11 tickets.

12 A Zero is the Sacramento line.

13 Q Would that be Richmond Sacramento or would that be
14 Concord?

15 A The Richmond to Sacramento is the Concord to
16 Sacramento --

17 Q Okay.

18 A -- as far as the zero is concerned.

19 Q Okay. Is there a two?

20 A I'll get you a list.

21 Q Okay. If you could provide that that would be
22 helpful. And then 48 you said is the cycle number?

23 A Correct.

24 Q And that refers to the cycles that Kinder Morgan --

25 A We have 48 cycles per year. That's how we group the

1 product. We try to base it on about a seven and a half
2 day break between the cycles.

3 Q So there's a seven and a half day --

4 A So there's a pattern to the movement for to keep the
5 product running at the terminal.

6 Q Okay. So when you say a seven and a half day break,
7 you plan for seven and a half days, there's no product
8 moving in the pipeline?

9 A No. That's how long the cycle lasts typically. It
10 depends on the amount of product moving in the line. If
11 you start with diesel, work through all the product and
12 end with diesel, you started the next cycle type of
13 thing, and it tries to keep a continuous flow for
14 rateability. You try to build that into the system. And
15 typically our tanks have about a ten-day supply, so about
16 a seven and a half day cycle works to keep all the tanks
17 flowing with product.

18 Q Okay. And the next -- we're still referring to
19 Exhibit 19. Is that what that says? 17. I can't see.
20 It's upside-down. 17, product code EA, that's the same
21 as the product code list that we've been referring to on
22 Exhibit 4?

23 A Uh-huh.

24 Q Okay. And then product 15 R-RFG2EA, is that what
25 you would call the short name and the number?

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER
2

3 I, CATHLEEN S. SLOCUM, a Certified Shorthand
4 Reporter, in and for the State of California, duly
5 appointed and commissioned to administer oaths, do
6 hereby certify:

7 That I am a disinterested person herein; that
8 the witness, THOMAS HOOKS, named in the foregoing
9 deposition, was by me duly sworn to testify the truth,
10 the whole truth, and nothing but the truth; that the
11 deposition was reported in shorthand by me, Cathleen S.
12 Slocum, a Certified Shorthand Reporter of the State of
13 California, and thereafter transcribed into typewriting.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 as Certified Shorthand Reporter on this 28 of
16 September, 2000.

17
18
19
20 Cathleen Slocum

21 Cathleen Slocum
22 Certified Shorthand Reporter
23 License Number 2822

24 --oo--
25

EXHIBIT 43

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

---oo---

SOUTH TAHOE PUBLIC UTILITY)
DISTRICT,)
Plaintiff,)
vs)
ATLANTIC RICHFIELD COMPANY)
("ARCO"); ARCO CHEMICAL COMPANY;)
SHELL OIL COMPANY; CHEVRON)
U.S.A., INC.; EXXON CORPORATION;)
B.P. AMERICA, INC.; TOSCO)
CORPORATION; ULTRAMAR, INC.;)
BEACON OIL CO.; USA GASOLINE)
CORPORATION; SHELL OIL PRODUCTS)
CO.; TERRIBLE HERBST, INC.;)
ROTTEN ROBBIE; J.E. TVETEN)
CORP.; TAHOE TOM'S GAS STATION;)
THE SOUTHLAND CORP.; PARADISE)
CHEVRON; and DOES 1 through 600,)
inclusive,)
Defendants.)

No. 999128

THIS TRANSCRIPT
CONTAINS CONFIDENTIAL
MATERIALS

ORIGINAL

---oo---

THURSDAY, JULY 22, 1999

10:00 A.M.

---oo---

DEPOSITION OF
BOB SIMONSON

---oo---

CATHLEEN SLOCUM, CSR
License No. 2822

PETERS SHORTHAND REPORTING CORPORATION

3336 Bradshaw Road, Suite 240
Sacramento, California 95827
(916) 362-2345

1 objections of lawyers is put down on record by the court
2 reporter sitting next to you and will be typed in the form
3 of a booklet which you'll have an opportunity to review and
4 correct. A lot of times you'll know where I'm going with my
5 question, and wait until I finish and then provide an answer
6 so we have a clear record.

7 You'll also hear lawyers during the course of the
8 deposition making objections. They're just preserving that
9 for the record. Unless your lawyer instructs you not to
10 answer, you should try to answer the question. We don't
11 want you to speculate, but we're entitled to your best
12 recollection, best estimates, those types of things. Do you
13 understand that, sir?

14 A Sure.

15 Q The other thing is try to articulate your responses
16 since the court reporter can't take down shrugs and uh-huhs
17 and uh-huhs and those types of things we use in everyday
18 language.

19 A Okay.

20 Q What's the name of your current employer, sir?

21 A Exxon Company, U.S.A.

22 Q And how long have you been employed by Exxon Company,
23 U.S.A.?

24 A Thirty-one years. Thirty-one years in June.

25 Q I smell some retirement money coming up.

1 A I hope so.

2 Q And what Exxon facility are you employed at?

3 A I'm at the Benicia refinery.

4 Q And that's here in Benicia, California?

5 A Yes.

6 Q Before we get to your employment at Exxon, could you
7 briefly describe for me your educational background.

8 A Educational background, high school graduate, graduated
9 from high school in Ohio. That's the extent of my formal --

10 Q Okay.

11 A -- educational background.

12 Q And what was your first position with Exxon?

13 A First position was refinery technician trainee.

14 Q And what are the job duties as a refinery technician
15 trainee?

16 A Those duties are part time as a unit operator. The
17 other part time, if you will, was doing refinery
18 maintenance, mechanical work.

19 Q And did you engage in these activities at Benicia?

20 A Yes.

21 Q And what was your next position after refinery
22 technician trainee?

23 A After that I was a control supervisor. That's a first
24 line supervisory position that basically operates half the
25 refinery from a central control room.

1 special reason to go make a check on that, you assume he's
2 going to meet your requirements as he states in the
3 contract.

4 Q Is there any way for you based on your experience to
5 put a percentage on the total amount of gas that's supplied
6 by Exxon's Benicia refinery in terms of the gasoline sales
7 in northern California? In other words, do they provide 60,
8 70, 80 percent of all the gasoline sold by Exxon in northern
9 California?

10 MR. GOLDFLAM: Objection. Vague as to time.

11 THE WITNESS: At the current time?

12 MR. WALLIS: In a month, in a year?

13 MR. SAWYER: Q What's easier for you to answer,
14 monthly, on an annual basis?

15 A On a daily basis is probably easier for me. The
16 Benicia refinery produces about 100,000, 110,000 barrels a
17 day of gasoline. That's about ten percent of production in
18 the State of California. I don't know the breakdown north
19 to south. Obviously almost all our product goes to
20 northern.

21 Q Into what?

22 A Into northern California.

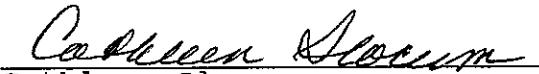
23 Q You're not aware of any studies or analysis that might
24 have been done for a certain segment of time to determine
25 what percentage of Exxon's gasoline is supplied by the

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER
2

3 I, CATHLEEN S. SLOCUM, a Certified Shorthand
4 Reporter, in and for the State of California, duly appointed
5 and commissioned to administer oaths, do hereby certify:

6 That I am a disinterested person herein; that the
7 witness, BOB SIMONSON, named in the foregoing deposition,
8 was by me duly sworn to testify the truth, the whole truth,
9 and nothing but the truth; that the deposition was reported
10 in shorthand by me, Cathleen S. Slocum, a Certified
11 Shorthand Reporter of the State of California, and
12 thereafter transcribed into typewriting.

13 IN WITNESS WHEREOF, I have hereunto set my hand as
14 Certified Shorthand Reporter on this 29 of July, 1999.
15
16
17

18 
19 Cathleen Slocum
Certified Shorthand Reporter
License Number 2822
20

21 --000--
22
23
24
25

EXHIBIT 44

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

3

4 SOUTH TAHOE PUBLIC UTILITY)
5 DISTRICT,)
6 Plaintiff,) vs.) No. 999128
7 ATLANTIC RICHFIELD COMPANY,)
8 et al.,)
9 Defendants.)
_____)

10

11

12

13

14

15

16 Deposition of:

17 DIXON B. SMITH

18 FRIDAY, JANUARY 12, 2001

19

20

21

22

23

24 Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

25

BRICKMAN DEPOSITION REPORTING
41 SUTTER STREET, SUITE 700
SAN FRANCISCO, CALIFORNIA 94104
(415) 788-5095 (800) 728-6903

1 A-P-P-E-A-R-A-N-C-E-S

2 For the Plaintiff: MILLER, SHER & SAWYER
3 South Tahoe Public 100 Howe Avenue, Suite S120
Utility District Sacramento, CA 95825
By: DUANE C. MILLER, ESQ.

4 For the Defendants: McCUTCHEN, DOYLE, BROWN &
5 Chevron USA ENERSON
Three Embarcadero Ctr, 25th Fl
San Francisco, CA 94111
By: COLLEEN DOYLE, ESQ.

6

7 Also Present: ANNE M. PAYNE, ESQ.

8

9

10

11

12

13

14

15

16 BE IT REMEMBERED that, pursuant to Notice
17 of taking Deposition, and on January 12, 2001, at the
18 hour of 10:12 AM, at Three Embarcadero Center, San
19 Francisco, California, before me, MARK I. BRICKMAN, CSR
20 No. 5527, State of California, there personally
21 appeared

22 DIXON B. SMITH
23 who was provided as a witness under the provisions of
24 the California Code of Civil Procedure.

25

BRICKMAN DEPOSITION REPORTING
41 SUTTER STREET, SUITE 700
SAN FRANCISCO, CALIFORNIA 94104
(415) 788-5095 (800) 728-6903

1 correct?

2 A. Yes.

3 Q. When you went to work for Chevron in
4 _____
5 1955, what were the types of job responsibilities that
you had?
J

A. I was a design engineer at the Richmond refinery.

8 Q. And could you briefly describe your
9 education starting with college for us?

10 A. I have a Bachelor of Science Degree in
11 chemical engineering from Stanford University.

12 Q. And did you obtain that degree before you
13 went to work for Chevron?

14 A. Yes, I did.

Q. Did you obtain any post-graduate degrees?

16 A. I did not.

17 Q. And did you take any post-graduate
18 courses at any university or college?

19 A. Yes, I have.

20 Q. Could you describe those for us, please?

21 A. I've taken a course in petroleum
22 engineering, University of California at Berkeley.
23 I've taken a course in executive management at the
24 University of California-Berkeley.

25 Q. Have you ever worked as a person

Are you talking about the hundred thousand chemicals that are of concern to the Clean Air Act?

MS. PAYNE: Can we get that question
read back, please?

MR. MILLER: Let me try it this way:

Q. You're familiar with carbon monoxide and winter ozone concerns that are dealt with in the Clean Air Act?

A. Yes.

Q. With those two considerations in mind, were you told by anyone that research on whether or not MTBE improved exhaust emissions from vehicles of those compounds actually determined that no improvement occurred?

MS. DOYLE: Can we have that question
read back because I think he said --

THE WITNESS: I can unwind it --

MS. DOYLE: But I think he said
winter --

MR. MILLER: Let's do it one step at a time.

Q. Were you ever told that a scientific study was done that attempted to evaluate whether or not MTBE improved exhaust emissions for carbon monoxide

1 and the result they received is that no improvement in
2 emissions occurred?

3 A. Not that I recall.

4 Q. Would your answer be the same for ozone
5 emissions?

6 A. I have to explain. All studies I recall
7 seeing said that there was an improvement in carbon
8 monoxide -- reduction in carbon monoxide emissions with
9 the addition of oxygenates in gasoline.

10 MR. MILLER: Let me show you Exhibit 14.

11 (Plaintiff's Exhibit No. 14 was
12 marked for identification.)

13 MR. MILLER: It's dated June 10, 1993.

14 It's directed to Mary Smith, US-EPA, Washington, D.C.
15 (Indicating).

16 If you go to the end, it says: "Original
17 signed by Dixon B. Smith."

18 THE WITNESS: Yes.

19 MR. MILLER: Q. Is this a letter you
20 wrote to the EPA?

21 A. I probably did not write the memo, but
22 I as indicated here did sign the memo.

23 Q. I assume you would have read it before
24 you signed it, sir?

25 A. Definitely.

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)
3

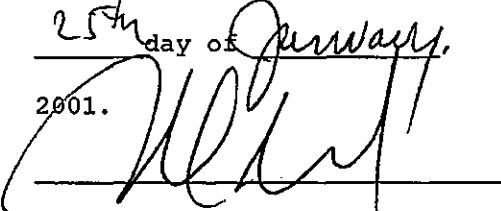
4 I, the undersigned, hereby certify that the witness
5 in the foregoing deposition was by me duly sworn to testify
6 the truth the whole truth and nothing but the truth in the
7 within-entitled cause; that said deposition was taken at
8 the time and place therein stated; that the foregoing is a
9 full, true and complete record of said testimony; and that
10 the witness was given an opportunity to read and correct
11 said deposition and to subscribe the same. Should the
12 signature of the witness not be affixed to the deposition,
13 the witness shall not have availed himself/herself of the
14 opportunity to sign or the signature has been waived.

15 I further certify that I am not of counsel or
16 attorney for either or any of the parties in the foregoing
17 deposition and caption named, or in any way interested in
18 the outcome of the cause named in said action.

19 IN WITNESS WHEREOF, I have

20 hereunto set my hand this

21 25th day of January,
22 2001.
23

24 
Mark I. Brickman CSR No. 5527

25

BRICKMAN DEPOSITION REPORTING
41 SUTTER STREET, SUITE 700
SAN FRANCISCO, CALIFORNIA 94104
(415) 788-5095 (800) 728-6903

EXHIBIT 45

VALERO CORPORATE REPRESENTATIVE DEPOSITION
EARLY KNOWLEDGE AND TASTE & ODOR

Norman Renfro
Vice President of Health, Safety and Environmental
Valero Services, Inc.

Employment History

May 7, 1984 Environmental Engineer
1988 Chief Environmental Engineer
1992 Environmental Manager
1995 Director of Safety and Environmental
1997 Vice President of Environmental and Safety Affairs
2002 Vice President of Health, Safety and Environmental

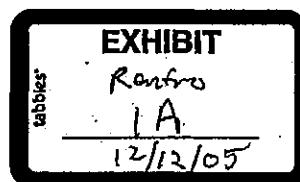
For purposes of this deposition, "Valero" includes the following entities:

Valero Energy Corporation
Valero Marketing and Supply Company
Valero Refining Company
Valero Refining and Marketing Company
Valero Refining Company Louisiana
Valero Refining—Texas, L.P.
Valero Refining Company—New Jersey
Valero Refining Company—California

Norman Renfro testimony applicable to heritage Valero and Basis refineries (1997), Paulsboro (1998), and Benicia (May 2000).

1. Whether any DOCUMENTS described in the Request to Produce Documents, which is a part of this notice, were destroyed. If so, when were said documents destroyed and by whom?

Valero is not aware of any instance in which responsive documents were destroyed. Given the expansive time frame for which the request seeks documents, it is possible that potentially responsive documents were destroyed long before this litigation was initiated.
2. Authentication of all DOCUMENTS produced at the deposition.
3. What efforts were made to locate the DOCUMENTS described in the request to produce documents that accompanies this deposition notice, who performed the search, and when and what was found.



Valero's archive documents were searched and reviewed for purposes of production in previous MTBE litigation matters (MDL I) as well as this litigation (MDL 1358), and for purposes of this subpoena. The files of individual employees thought likely to have relevant information have been collected and reviewed for responsiveness, as have potentially responsive files located at relevant refineries. Documents that were located and determined to be responsive to this subpoena have been produced to Plaintiffs.

The following people were interviewed for preparation for this deposition:

Joe Almarez
Curt Benefield
John Braeutigam
Bobby Broadway
John Cotterel
Gene Edwards
Peter Fasullo
Tim George
Bill Glasscock
Jim Greenwood
Chip Gross
TD Higginbotham
Cal Hodge
Jon Kiggans
George Kain
Baines Manning
Gino Panganucci
Sam Pinizzotto
Roger Rinas
Rick Roat
Les Rucker
Wayne Smithers
Reid Trekkell
Geoff Willig
Marty Zanotti

EARLY KNOWLEDGE ISSUES

3. The Defendant's early knowledge and understanding of MTBE and/or TBA's characteristics and impact on the environment.

(a) When Valero First Became Aware That MTBE Had Caused Water Contamination.

A few Valero employees became aware in approximately 1987 of allegations that MTBE had been detected in groundwater in Maine. The information received was

limited and indicated that the release was a unique situation and not likely to recur. Some Valero employees became aware that MTBE had been detected in groundwater in Denver in early-mid 1995. In general, Valero employees became aware of MTBE detections in the City of Santa Monica drinking water wells in connection with news accounts in 1995 or 1996.

(b) First Several Instances in Which Valero Dealt With MTBE Contamination At Refineries

In September 1998, Valero acquired the Paulsboro refinery from Mobil. Since approximately 1979, the refinery has been operating a system designed to contain hydrocarbon contamination underneath the refinery. MTBE was detected in some wells at the refinery in 1997, prior to Valero's acquisition. The operation of the system, however, has not been modified as result of the MTBE detection in 1997.

In May 2000, Valero acquired the Benicia refinery from ExxonMobil. Prior to Valero's acquisition, MTBE had been detected at the refinery and terminal. ExxonMobil retains liability for this contamination. Since mid-2000, however, Valero has operated and maintained the equipment, including quarterly sampling.

In 2001, Valero detected MTBE in groundwater wells at the Corpus Christi refinery. The Remedial Action Plan (pump and treat 7 wells) does not call for any specific/different treatment in light of the existence of MTBE. The refinery continues to monitor the wells semi-annually for MTBE and BTEX.

In 2002, MTBE was detected in groundwater at the Houston refinery. The existing system has not been modified as a result of the MTBE detection.

(c) First Instances in Which Valero Dealt With MTBE Contamination at Retail Stations

In 2000, in connection with Valero's purchase of retail stations in California from ExxonMobil, Valero commissioned environmental assessments of 16 retail stations. MTBE contamination was discovered at 12 of these stations. ExxonMobil retained the responsibility for remediating contamination at the sites. Therefore, Valero did not "deal with" MTBE contamination at these sites.

In 2002, in connection with its merger with Ultramar Diamond Shamrock Corporation, Valero entities acquired 1421 retail stations. Valero acquired approximately 840 sites at which there were on-going remediation activities, some of which included remediation of MTBE. A detailed review of all of the remediation site files has not been performed for this deposition.

(d) First Several Instances in Which Valero Was Provided Information From Others in the Industry About Their Early Experiences With MTBE.

Valero has not located any specific record indicating that it received information from another in the industry about their early experience with MTBE. Valero

acquired information about Mobil's experience with MTBE at the Paulsboro refinery in 1998, and about ExxonMobil's experience with MTBE at the Benicia refinery in 2000. Valero became aware of Ultramar Diamond Shamrock's experiences with remediation of MTBE after its merger with Ultramar Diamond Shamrock on December 31, 2001.

- (e) When Valero First Became Aware of MTBE's Low Taste and Odor Threshold.

Valero does not contend that MTBE has a "low" taste and odor threshold. Valero understands that the concentrations in water at which MTBE can be detected by taste or odor varies widely. In 1995, Valero learned from an OFA Fact Sheet that MTBE's average odor detection threshold in water has been measured in the range of 45-95 ppb and its average taste threshold at 134 ppb.

- (f) When Valero First Became Aware of the Fact that MTBE Flows Further and Faster than BTEX, and is More Likely to Cause Contamination Than a Release of Conventional Gasoline.

Valero became aware of allegations that MTBE flows further and faster than BTEX in 1995. Valero has not concluded that MTBE is more likely to cause contamination than a release of conventional gasoline.

- (g) When Valero First Became Aware of the Fact That MTBE is More Soluble in Water Than the BTEX Constituents.

As a chemical principle, Valero is aware that MTBE is more soluble in water than the BTEX constituents. Valero is also aware that MTBE is less soluble in water than some other constituents of gasoline.

- (h) When Valero First Became Aware of MTBE's Resistance to Biodegradation, and the Fact That MTBE is More Difficult and Costly to Remediate.

Valero became aware of allegations that MTBE was resistant to biodegradation in 1995. Valero agrees that in some specific circumstances, MTBE may be more costly to remove from groundwater than BTEX constituents. Based on Valero's investigation, it appears that Valero first became aware of this in 1995.

TASTE AND ODOR DEPOSITION ISSUES

4. STUDIES done by you, done at your direction, or that you obtained or reviewed that are designed to determine the taste and odor threshold of MTBE and/or TBA in water.

Valero has not performed any such studies. With regard to studies conducted by others, Valero has obtained the following documents that may relate to this issue.

(a) U.S. Environmental Protection Agency, November 1993, Assessment of Potential Health Risks of Gasoline Oxygenated with Methyl Tertiary Butyl Ether (MTBE): Washington, D.C., Office of Research and Development;

(b) Oxygenated Fuels Association, 1995, MTBE in Ground Water--Fact Sheet for Local Health and Water Authorities: Oxygenated Fuels Association;

(c) U.S. Environmental Protection Agency, 1997, EPA Drinking Water Advisory: Consumer Acceptability Advice and Health Effects Analysis on Methyl Tertiary-Butyl Ether (MTBE) and related Fact Sheet;

5. When, and under what circumstances, according to YOUR records, YOU first learned about MTBE's taste and odor threshold in water, and how that knowledge evolved over time.

Valero first learned of the controversy regarding MTBE's taste and odor threshold in water in 1995. Valero has not formed an opinion as to MTBE's particular taste and odor threshold in water. In December 1997, the EPA set a Drinking Water Advisory for MTBE at 20 to 40 ppb.

6. When, according to YOUR records, YOU first received a copy of the January 17, 2003, Product Safety Bulletin for Methyl Tertiary Butyl Ether published by Lyondell Chemical Company.

Valero has no record of ever receiving a copy of the January 17, 2003, Product Safety Bulletin for Methyl Tertiary Butyl Ether published by Lyondell Chemical Company.

7. When, according to YOUR records, YOU first received a copy of the 18 March 1993 Campden Food and Drink Research Association STUDY titled Flavor [sic] and Odour [sic] Thresholds of Methyl Tertiary Butyl Ether (MTBE) in Water.

Valero has no record of ever receiving this document. Valero understands that it was produced to Ultramar Inc. in the South Lake Tahoe Litigation.

EXHIBIT 46

L-4181-C
REV. 11/97**HIGHWAY TRANSPORTATION RECEIPT****(LOADING TICKET)**

DRIVER COPY 4

ORIGINAL BILL OF LADING—NOT NEGOTIABLE

RECEIVED, THE PROPERTY DESCRIBED BELOW, IN APPARENT GOOD ORDER WHICH SAID TRANSPORTATION COMPANY (THE WORD "COMPANY" BEING UNDERSTOOD AS INCLUDING ANY PERSON OR CORPORATION IN POSSESSION OF THE PROPERTY) AGREES TO TRANSPORT AND DELIVER TO CONSIGNEE AT HIS USUAL PLACE OF DELIVERY (IF ON ITS OWN LINE OR ROUTE), OTHERWISE TO DELIVER TO ANOTHER CARRIER ON THE ROUTE TO SAID DESTINATION. IT IS MUTUALLY AGREED THAT THE TRANSPORTATION SERVICES HEREUNDER ARE SUBJECT TO ALL THE PRINTED TERMS AND CONDITIONS NOT PROHIBITED BY LAW, OF THE "TRANSPORTATION COMPANY'S" UNIFORM BILL OF LADING. "CONTRACT" OR "ANYWHERE-FOR-HIRE" SERVICES WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT, SERVICE ORDER OR OTHER AGREEMENT EXECUTED OR AGREED TO BETWEEN PARTIES HERETO WHEN NOT IN CONTRAVENTION OF ANY EXISTING LAW. WHEN MOVEMENT IS IN A VEHICLE OPERATED BY SHIPPER, OR OWNER OF PRODUCT, THIS DOCUMENT SERVES ONLY AS A RECEIPT FOR PRODUCT LOADED.

STATE EXCISE TAX, IF ANY, ON MOTOR VEHICLE FUEL COVERED BY THIS LOADING TICKET HAS BEEN ASSUMED AND WILL BE PAID BY THE SHIPPER.

CARRIER CERTIFIES THAT THE CARGO TANK SUPPLIED FOR THIS SHIPMENT IS A PROPER CONTAINER FOR THE TRANSPORTATION OF THIS COMMODITY AND COMPLIES WITH THE DEPT. OF TRANSPORTATION SPECIFICATIONS AND REGULATIONS FOR THE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES.

THIS IS TO CERTIFY THAT THE BELOW-NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION, ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPT. OF TRANSPORTATION.

NOTE: NET VOLUME HAS BEEN ADJUSTED TO 60°F.

SIGNATURE OF DRIVER:

JOEL MUNGUIA

FOR PRODUCT EMERGENCY
 Spill, Leak, Fire, Exposure or Accident
CALL CHEMTRAC-DAY OR NIGHT
800-424-9300

DESTINATION

 RED TRIANGLE
 2804 50. CHESTNUT

TRUCK NO.	FRESNO	TRUCK LICENSE NO.	TRAILER NO.	TRAILER LICENSE NO.		
1001		GX13198	1021	YCB153		
TERM NO.	HTR NO.	TIME	DATE	CUSTOMER NO.	DRIVER NO.	CARRIER
0002	631103	12:49	02/14/03	000090003	0005	REDT

4142 SOUTH MAPLE AVENUE, FRESNO, CA 93725

PAGE 1 OF 1

 SHIPPER
 TESORO REFINING & MARKETING

 CONSIGNEE
 125
 TESORO REFINING
 8700 TESORO DR.
 SAN ANTONIO, TX 78217

SPOT #E

PRODUCT CODE	PRODUCT NAME	OCT.	TEMP.	GRAVITY	GROSS GALLONS	NET GALLONS
GASOLINE 9, UN1203, P.G. 1T					4004	4015
B 187 REG RFG W/RIO		87.0	56	60.0		
B7 REG RFG (BASE)					4004	4015

THIS GASOLINE CONTAINS DETERGENT ADDITIVE AS REQUIRED BY
 40 CFR PART 80
 THIS PRODUCT DOES NOT MEET THE OXYGENATE REQUIREMENTS FOR EPA
 RFG II AND MAY NOT BE USED IN ANY EPA RFG II COVERED AREA
 CONTAINS GREATER THAN 0.6 VOL% MTBE

L-4181-C
REV. 11/97**HIGHWAY TRANSPORTATION RECEIPT**

DRIVER COPY 4

(LOADING TICKET)**ORIGINAL BILL OF LADING—NOT NEGOTIABLE**

RECEIVED, THE PROPERTY DESCRIBED BELOW, IN APPARENT GOOD ORDER WHICH SAID TRANSPORTATION COMPANY (THE WORD "COMPANY", BEING UNDERSTOOD AS INCLUDING ANY PERSON OR CORPORATION IN POSSESSION OF THE PROPERTY) AGREES TO TRANSPORT AND DELIVER, TO CONSIGNEE AT HIS USUAL PLACE OF DELIVERY (IF ON ITS OWN LINE OR ROUTE), OTHERWISE TO DELIVER TO ANOTHER CARRIER ON THE ROUTE TO SAID DESTINATION. IT IS MUTUALLY AGREED THAT THE TRANSPORTATION SERVICES HEREUNDER ARE SUBJECT TO ALL THE PRINTED TERMS AND CONDITIONS NOT PROHIBITED BY LAW, OF THE "TRANSPORTATION COMPANY'S" UNIFORM BILL OF LADING. "CONTRACT" OR "ANYWHERE-FOR-HIRE" SERVICES WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT, SERVICE ORDER OR OTHER AGREEMENT EXECUTED OR AGREED TO BETWEEN PARTIES HERETO WHEN NOT IN CONTRAVENTION OF ANY EXISTING LAW. WHEN MOVEMENT IS IN A VEHICLE OPERATED BY SHIPPER OR OWNER OF PRODUCT, THIS DOCUMENT SERVES ONLY AS A RECEIPT FOR PRODUCT LOADED.

STATE EXCISE TAX, IF ANY, ON MOTOR VEHICLE FUEL COVERED BY THIS LOADING TICKET HAS BEEN ASSUMED AND WILL BE PAID BY THE SHIPPER.

CARRIER CERTIFIES THAT THE CARGO TANK SUPPLIED FOR THIS SHIPMENT IS A PROPER CONTAINER FOR THE TRANSPORTATION OF THIS COMMODITY AND COMPLIES WITH THE DEPT. OF TRANSPORTATION SPECIFICATIONS AND REGULATIONS FOR THE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES.

THIS IS TO CERTIFY THAT THE BELOW-NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION, ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPT. OF TRANSPORTATION.

NOTE: NET VOLUME HAS BEEN ADJUSTED TO 60°F.

SIGNATURE OF DRIVER:

JOEL MUNGUIA

FOR PRODUCT EMERGENCY
 Spill, Leak, Fire, Exposure or Accident
 CALL CHEMTRAC DAY OR NIGHT
800-424-9300

DESTINATION

 RED TRIANGLE
 2809 SO. CHESTNUT

TRUCK NO.	FRESNO, TRUCK 00000000	TRAILER NO.	TRAILER LICENSE NO.			
TERM NO.	HTR. NO.	TIME	DATE	CUSTOMER NO.	DRIVER NO.	CARRIER
0002	1001	3Y13198	10:55 07/25/03	000090003	0005	REDT

4149 SOUTH MAPLE AVENUE, FRESNO, CA 93725

PAGE 1 OF 1

HIPPER	TESORO REFINING & MKTING	CONSIGNEE	129
		TESORO REFIN	129
		8700 TESORO DR.	129
		SAN ANTONIO, TX 78212	129

PRODUCT CODE	PRODUCT NAME	OCT.	TEMP.	GRAVITY	GROSS GALLONS	NET GALLONS
GASOLINE 3, UN1203, P.G. II					8801	8642
3 187 REG RFG W/A10		87.0	86	60.0		
67 REG RFG (BASE)					8801	8642

THIS GASOLINE CONTAINS DETERGENT ADDITIVE AS REQUIRED BY 40 CFR PART 80

THIS PRODUCT DOES NOT MEET THE OXYGENATE REQUIREMENTS FOR EPA PFG II AND MAY NOT BE USED IN ANY EPA RFG II COVERED AREA
 CONTAINS GREATER THAN 0.6 VOL% MTBE

L-4181-C
REV. 11/97

HIGHWAY TRANSPORTATION RECEIPT

(LOADING TICKET)

DRIVER COPY 5

ORIGINAL BILL OF LADING—NOT NEGOTIABLE

RECEIVED, THE PROPERTY DESCRIBED BELOW, IN APPARENT GOOD ORDER WHICH SAID TRANSPORTATION COMPANY (THE WORD "COMPANY" BEING UNDERSTOOD AS INCLUDING ANY PERSON OR CORPORATION IN POSSESSION OF THE PROPERTY) AGREES TO TRANSPORT AND DELIVER TO CONSIGNEE AT HIS USUAL PLACE OF DELIVERY (IF ON ITS OWN LINE OR ROUTE), OTHERWISE TO DELIVER TO ANOTHER CARRIER ON THE ROUTE TO SAID DESTINATION. IT IS MUTUALLY AGREED THAT THE TRANSPORTATION SERVICES HEREUNDER ARE SUBJECT TO ALL THE PRINTED TERMS AND CONDITIONS NOT PROHIBITED BY LAW, OF THE "TRANSPORTATION COMPANY'S" UNIFORM BILL OF LADING. "CONTRACT" OR "ANYWHERE-FOR-HIRE" SERVICES WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT, SERVICE ORDER OR OTHER AGREEMENT EXECUTED OR AGREED TO BETWEEN PARTIES HERETO WHEN NOT IN CONTRAVENTION OF ANY EXISTING LAW. WHEN MOVEMENT IS IN A VEHICLE OPERATED BY SHIPPER, OR OWNER OF PRODUCT, THIS DOCUMENT SERVES ONLY AS A RECEIPT FOR PRODUCT LOADED.

STATE EXCISE TAX, IF ANY, ON MOTOR VEHICLE FUEL COVERED BY THIS LOADING TICKET HAS BEEN ASSUMED AND WILL BE PAID BY THE SHIPPER.

CARRIER CERTIFIES THAT THE CARGO TANK SUPPLIED FOR THIS SHIPMENT IS A PROPER CONTAINER FOR THE TRANSPORTATION OF THIS COMMODITY AND COMPLIES WITH THE DEPT. OF TRANSPORTATION SPECIFICATIONS AND REGULATIONS FOR THE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES.

THIS IS TO CERTIFY THAT THE BELOW-NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION, ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPT. OF TRANSPORTATION.

NOTE: NET VOLUME HAS BEEN ADJUSTED TO 80°F.

SIGNATURE OF DRIVER:

Joel Munguia
JOEL MUNGUIA

FOR PRODUCT EMERGENCY
Spill, Leak, Fire, Exposure or Accident
CALL CHEMREC-DAY OR NIGHT

800-424-9300

DESTINATION
880 TRIANGLE
2809 SG. CHESTNUT
FRESNO, CA 93735

TRUCK NO.	TRUCK LICENSE NO.	TRAILER NO.	TRAILER LICENSE NO.			
1001	3Y13198	1011	YC8153			
TERM NO.	HTR NO.	TIME	DATE	CUSTOMER NO.	DRIVER NO.	CARRIER
0002	739864	17:04	11/03/03	000090003	6005	RDST

SHIPPER TESORO RETAILING & MARKETING

CONSIGNEE

4149 SOUTH MAPLE AVENUE, FRESNO, CA 93725

129
TESORO RETAILING
8700 TESORO DR.
SAN ANTONIO, TX 78217

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SPOT 4R

PRODUCT CODE	PRODUCT NAME	OCT.	TEMP.	GRAVITY	GROSS GALLONS	NET GALLONS
GASOLINE 3, UN1203, P.G. II					8801	8740
P 110	ENG CARBON/5.7BTU W/A10	87.0	70	60.0		
78	RRG CARBON (BASE)				8249	8242
38	FPM (BASE)				502	498

THIS GASOLINE CONTAINS DETERGENT ADDITIVE AS REQUESTED BY THIS SHIPPER'S SPECIFICATIONS AS REQUIRED BY 40 CFR PART 80.

THIS PRODUCT CONTAINS 5.7 VOL% ETHANOL
CONTAINS GRAINETHANOL THAN 0.6 VOL% MTBE